

## Policy Structure Subcommittee DRAFT Recommendation Outlines

The Policy Structure Subcommittee is sharing this living document of recommendation outlines for preliminary review by the Mosquito Control for the 21<sup>st</sup> 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: (v) assessing the need to update the composition of the state reclamation and mosquito control board*

- 1. Repeal and replace OR revise MGL C. 252 and enabling MCD/MCP legislations**
- 2. Amend the Massachusetts Stormwater Handbook (and relevant building codes)**

*Directive (x) identifying the challenges, including but not limited to financial barriers, facing municipalities in joining a regional mosquito control project or district;*

- 3. Revise the structure, function, and funding of MCDs to ensure a comprehensive and cohesive framework for mosquito control across Massachusetts and to potentially allow for towns to join MCDs at lower costs.**
- 4. Establish baseline mosquito control services and allow people/member towns to add services as they wish/as needed.**

**Directive: (v) Assessing the need to update the composition of the State Reclamation and Mosquito Control Board**

### **1. Repeal and replace OR revise MGL C. 252 and enabling MCD/MCP legislations**

#### **Recommendation**

A revised C. 252 and enabling legislations would:

- Create a new oversight board to replace the current SRB
- Establish modified funding mechanisms for mosquito control services and MCD/MCP membership
- Create a centralized mosquito control program

A new oversight board would:

- Have a new name and clear statement of purpose that appropriately reflects the goals of the mosquito control program and associated entities
- Ensure scientific consensus in mosquito control approaches, as well as consistency in decision-making processes for MCDs
- Include representatives from the appropriate state agencies (e.g., DAR, DEP, DPH (EPI), DFW/DFW, MDAR)
- Have subcommittees with representation from DER, MassWildlife/Division of Ecological Restoration/Natural Heritage, external experts in toxicology, representatives from academic and

research institutions, DCR, representative from the Municipal Association, and potentially include a representative/representatives from other state(s).

- Establish a centralized Program with centralized operations and HR functions (hiring, salary). Centralized program would extend monitoring and surveillance to areas and species that are not currently monitored, and create, support, and regulate regional mosquito management districts or projects to work cooperatively with state and local public health and state and municipal environmental agencies to monitor and intervene against mosquitoes and mosquito-borne diseases.
- Provide quality control of public (e.g., MCD) and private (e.g. commercial) mosquito control operations.
- Determine the correct balance of state and district oversight to ensure the appropriate level of independence for MCDs

A revised funding structure would:

- Ensure that mosquito control services are provided across the state (not just where communities can afford services) to ensure comprehensive coverage of monitoring, surveillance, and intervention.
- Potentially include a base fee for municipalities to fund services such as: monitoring, education, research and quality control.
- Fund new data systems to track and report on mosquito control operations, results and opt-out process
- Fund periodic review of the mosquito control program.

A revised C. 252 and enabling legislations would create frameworks for:

- Consensus-driven, science-based mosquito control
- Mosquito-borne disease management plan (IPM with standardized metrics and thresholds for action)
- Engagement with local officials, conservation commissions and watershed associations
- Statewide educational outreach and support to local BOHs
- Periodic reviews of program effectiveness to determine preferences of MCD member towns.

### **Background and Rationale**

MGL C. 252 is out of date and does not provide clear and comprehensive guidance for Commonwealth-wide mosquito control for the twenty-first century. The current SRB lacks official representation from a variety of relevant entities, including agencies such as the Department of Public Health and MassWildlife, as well as clear pathways for guidance for mosquito control to promote cohesive best practices and consistency in decision-making for mosquito control actions across the Commonwealth and within Mosquito Control Districts or Projects. Furthermore, the legal structure of MCDs/MCPs under C. 252 is inconsistent, with some MCDs/MCPs having been formed directly under C. 252 and others having been formed through individual enabling legislations. These inconsistencies, as well as lack of comprehensive guidance from C. 252 contribute to a lack of uniformity in decision-making, funding structure, and services offered. Additionally, the current mosquito control program structure lacks opportunities for public input and for the tailoring of mosquito control services to the needs (or desires) of the communities. A statewide mosquito control program should provide services across the entire state to ensure comprehensive coverage of ecologically-based mosquito control, surveillance, monitoring, and source control (e.g., by helping municipalities revise stormwater practices so that they're not creating mosquito breeding grounds, wetlands management, and other interventions).

Repealing and replacing or revising MGL C. 252 and enabling MCD/MCP legislations will create a more standardized mosquito control program for the Commonwealth by providing clear guidance on best practices and decision-making. A more standardized program will allow for the SRB to be renamed and restructured to reflect the present-day goals and needs for mosquito control.

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## **2. Amend the Massachusetts Stormwater Handbook (and relevant building codes)**

### **Recommendation**

Amend the Massachusetts Stormwater Handbook (and relevant building codes) to ensure that newly created stormwater retention and detention basins, including but not limited to, sediment forebays, vegetated filter strips, and bioretention swales:

- Drain or otherwise percolate to a state of no standing water within three days so as not to provide habitat for the development and emergence of mosquitoes;
- Use low-impact development techniques that are designed to require minimal maintenance
- Be maintained by mowing and clearing with sufficient frequency to preclude these features to not produce mosquitoes;
- Be listed with the regional MCD and municipal BOH so that the structures may be monitored and treated, as appropriate.

### **Background and Rationale**

Land development efforts may include creating structures to reduce erosion and capture sediments and other contaminants from runoff. Stormwater structures sometimes hold water for sufficient intervals to create productive mosquito habitats, and are generally known to, monitored, or treated by the MCDs.

Updates or amendments to the Handbook and relevant building codes to require low-impact development practices will contribute to more holistic mosquito control practices across the commonwealth and could contribute to design of maintenance free or low maintenance practices. Stormwater management is part of an MCDs' duties, and by encouraging low-impact and low-maintenance design of stormwater management systems, the burden for management could be lessened.

**Directive:** (x) *Identifying the challenges, including but not limited to financial barriers, facing municipalities in joining a regional mosquito control project or district*

**3. Revise the structure, function, and funding of MCDs to ensure a comprehensive and cohesive framework for mosquito control across Massachusetts and to potentially allow for towns to join MCDs at lower costs.**

**Recommendation**

Revise the structure, function, and funding of MCDs to ensure cohesive and comprehensive mosquito control across Massachusetts and to potentially allow for towns to join MCDs at lower costs.

A framework would:

- Provide for two levels of services:
  - **Basic services** (such as education, surveillance, source reduction) performed by the state and supported by tax dollars. All communities would receive these services, regardless of MCD membership. If necessary, pathogen-carrying mosquitoes would be controlled with the appropriate response.
  - **Additional services** (such as larviciding, adulticiding, and local storm water management) would be funded through a mechanism similar to current cherry sheet deductions. Only communities who indicate a desire to receive these services would receive them.
- Support a cohesive mosquito control program with all MCDs as part of one system with centralized data systems to keep track of operations and standardized policies that all districts abide by. Data reporting will be overseen by the new oversight board

**Background and Rationale**

A revised framework for the MCDs and their oversight could contribute to greater consistency in mosquito control in MCDs across Massachusetts and could potentially support a “menu-based” approach to mosquito control services.

**Directive:** (x) *Identifying the challenges, including but not limited to financial barriers, facing municipalities in joining a regional mosquito control project or district*

**4. Establish baseline mosquito control services and allow people/member towns to add services as they wish/as needed.**

**Recommendation**

Establish baseline mosquito control services such as education, surveillance, source reduction and allow people/member towns to add additional services such as larviciding, adulticiding, and local storm water management as they wish/as needed

**Background and Rationale**

Towns/Municipalities who are members of MCDs may feel their needs/preferences are being better considered through this “menu-based” approach. A “menu-based” approach may be an incentive for more towns to join MCDs, which could contribute to wider-spread education, surveillance, and mosquito control throughout the Commonwealth. If certain services require a minimum of towns to sign on to make it financially feasible for a district, MCDs should establish these thresholds/targets and the new oversight board could and should identify means of subsidizing these services if a district cannot recruit the minimum number of communities.