

Policy Structure Subcommittee Draft Recommendations

The Policy Structure Subcommittee is sharing this living document of draft recommendations to the Mosquito Control for the 21st Century Task Force. These topics will likely be the subject of recommendations from the subcommittee, for consideration by the full task force. 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 local land use and stormwater regulations)**

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.**

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

Recommendation

A revised C. 252 and enabling legislations would:

- Restructure the existing SRB to create a modified oversight board that includes representation from relevant agencies who are involved in and have expertise in mosquito management
- Establish modified funding mechanisms for mosquito control services and MCD/MCP membership
- Restructure the existing centralized mosquito control program to allow for more centralized oversight and guidance of regional mosquito control districts or projects, and private mosquito control applicators.
- Allow for public input and accountability in the system; at a minimum, new statewide mosquito management plan with a requirement to have public input and periodic review
 - IT systems and data that support; data on what's being done, where what the effects are
- Outline clear guidelines to see what is in the purview of state, municipality, individual so that respective roles and responsibilities are clear
- Acknowledge and create systems to continue the administrative functions that are needed to support the system
- Clearly identify actions needed to transition from the current to the new structure to ensure continuity of mosquito control services

A restructured oversight board would:

- Have a new name and clear statement of purpose that appropriately reflects the goals of the mosquito control program.
- Ensure scientific consensus in mosquito control approaches, as well as consistency and transparency in decision-making processes at the state and district levels.
- Include representatives (i.e., Commissioners or their designees) from the appropriate state agencies and universities (e.g., DAR, DEP, DPH (EPI), DFW/DFG, MDAR, relevant academic expertise from a public or private university)
- Have subcommittees with representation from DER, MassWildlife/Division of Ecological Restoration/Natural Heritage, external experts in human and ecotoxicology, representatives from the DPH Bureau of Environmental Health, representatives from academic and research institutions, DCR, representative from the Municipal Associations
- Be able to create subcommittees as needed (e.g., subcommittee with school boards, departments of education, and others) to bring in additional experts and perspectives as necessary.
- Be able to confer with other states to share best practices, lessons learned, and techniques and insights on mosquito control.
- Establish a centralized Program with centralized operations and HR functions (hiring, salary, similar to administrative functions of current SRB). 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 oversight on 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, while still providing centralized guidance and allowing municipalities to obtain the mosquito control services they desire and need, recognizing that these will vary across the Commonwealth.

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 and IT systems to track and report on mosquito control operations, results and opt-out process and effectiveness of control techniques
- 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
- Developing a mosquito-borne disease management plan (IPM with standardized metrics, evaluation protocol to determine efficacy of control, and thresholds for action)
- Engagement with local officials, conservation commissions and watershed associations
- Statewide educational outreach and support to local BOHs
- Periodic public input and reviews of program effectiveness to determine preferences of MCD member towns.
 - At a minimum, enable public comment and input on new statewide mosquito management plans
- Transitioning current MCD staff into the new program so that current MCD staff retain their jobs and mosquito control efforts continue throughout the program/SRB transition period
- Updating the GEIR

Background and Rationale

MGL C. 252 was passed in 1918 and therefore is out of date, in addition to not providing 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. Furthermore, while C. 252 does not cover most of the practices that constitute current mosquito control operations, it does give the authority to perform actions such as draining wetlands, entering private property for mosquito control, or generally reclaiming land—all of which are no longer considered best practices. An updated mosquito control program should provide services across the entire Commonwealth 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 are 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 policy structure that will serve as a framework for mosquito control program in the Commonwealth. Revised or new legislation will provide clear guidance on best practices and decision-making and allow for the current SRB to be renamed and restructured to reflect the present-day goals and needs for mosquito control.

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

2. Amend the Massachusetts Stormwater Handbook (and relevant local land use and stormwater regulations)

Recommendation

Amend the Massachusetts Stormwater Handbook (and relevant local land use and stormwater regulations) to ensure that newly created stormwater retention and detention basins, including but not limited to, catch basins, 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 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 land use and stormwater regulations 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.

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