

Policy Subcommittee Final Meeting

This file presents the recommendations prepared and voted on by the MCTF Best Practices Subcommittee and the voting results:

- POL-1: Repeal and replace M.G.L. c. 252 and enabling MCD legislation or amend M.G.L. c. 252 and repeal MCD enabling legislation
- POL-2: Amend the Massachusetts Stormwater Handbook (and relevant local land use and stormwater regulations)
- POL-3: Revise the structure, function, and funding of MCDs to ensure a comprehensive and cohesive framework for mosquito control across Massachusetts that establishes baseline mosquito control services for all towns/municipalities in the commonwealth, allows towns to join MCDs at lower costs, and allows people/member towns to add services as they wish/as needed.

MCTF Policy Structure Subcommittee
Final Recommendations: March 1, 2022

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

3 **Recommendation POL-1:** Repeal and replace M.G.L. c. 252 and enabling MCD legislation or
4 amend M.G.L. c. 252 and repeal MCD enabling legislation

5 Background

6 MGL C. 252 was passed in 1918 and therefore is out of date, in addition to not providing clear
7 and comprehensive guidance for Commonwealth-wide mosquito management for the twenty-
8 first century. The current SRB lacks official representation from a variety of relevant entities,
9 including agencies such as the Department of Public Health and MassWildlife, as well as clear
10 pathways for guidance for mosquito management to promote cohesive best practices and
11 consistency in decision-making for mosquito management actions across the Commonwealth
12 and within Mosquito Control Districts or Projects. Furthermore, the legal structure of
13 MCDs/MCPs under C. 252 is inconsistent, with some MCDs/MCPs having been formed directly
14 under C. 252 and others having been formed through individual enabling legislations. These
15 inconsistencies, as well as lack of comprehensive guidance from C. 252 contribute to a lack of
16 uniformity in decision-making, funding structure, and services offered. Additionally, the current
17 mosquito management program structure lacks opportunities for public input and for the
18 tailoring of mosquito management services to the needs (or desires) of the communities.
19 Furthermore, while C. 252 does not cover most of the practices that constitute current
20 mosquito management operations, it does give the authority to perform actions such as
21 draining wetlands, entering private property for mosquito management, or generally reclaiming
22 land—all of which are no longer considered best practices. An updated mosquito management
23 program should provide services across the entire Commonwealth to ensure comprehensive
24 coverage of ecologically-based mosquito management, surveillance, monitoring, and source
25 management (e.g., by helping municipalities revise stormwater practices so that they are not
26 creating mosquito breeding grounds, wetlands management, and other interventions).

27 Wetlands managers are making progress on methods for managing and restoring both coastal
28 and inland wetlands with multiple benefits including but not limited to reducing mosquito
29 habitat and increasing access for fish and other mosquito predators. These techniques (e.g. salt
30 marsh runnelling and ditch remediation, culvert replacements, dam removals, restoration of
31 streams and wetlands on abandoned cranberry bogs) could be more broadly applied through a
32 reorganized system that supports mosquito management partnerships with other entities. A
33 more concerted effort to address artificial sources (around homes and businesses, roadside
34 dumping and litter, stormwater management designs) through cooperative outreach and
35 education would also have substantial benefits with no negative environmental or health
36 effects.

MCTF Policy Structure Subcommittee
Final Recommendations: March 1, 2022

37 Repealing and replacing or revising MGL C. 252 and enabling MCD/MCP legislations will create a
38 more standardized policy structure that will serve as a framework for a mosquito management
39 program in the Commonwealth. Revised or new legislation will provide clear guidance on best
40 practices and decision-making and allow for the current SRB to be renamed and restructured to
41 reflect the present-day goals and needs for mosquito management.

42 Recommendation

43 An amended c. 252 would have a clear goal statement that emphasizes:

- 44 • Protecting public health and the environment by using the best available social and
45 environmental science; encouraging funding and research aimed to evaluate risks and
46 benefits of mosquito management efforts; relying on approaches such as IPM; and
47 emphasizing transparency in approaches and decision-making.

48 An amended c. 252 and repeal of enabling legislation would:

- 49 • Restructure the existing SRB to create a modified oversight board that includes
50 representation from relevant agencies who are involved in and have expertise in
51 mosquito management.
- 52 • Establish modified funding mechanisms for mosquito management services and MCD
53 membership.
- 54 • Restructure the existing centralized mosquito control program to allow for more
55 centralized oversight and guidance of MCDs and extend to commercial mosquito
56 management applicators.
- 57 • Allow for public input and accountability in the system; at a minimum, new statewide
58 mosquito management plan with a requirement to have public input and periodic
59 review.
- 60 ○ Include IT systems and data that support; data on what's being done, where
61 what the effects are.
- 62 • Outline clear guidelines to see what is the purview of the state, municipalities, and
63 individuals so that respective roles and responsibilities are clear.
- 64 • Acknowledge and create systems to continue the administrative functions that are
65 needed to support the system.
- 66 • Clearly identify actions needed to transition from the current to the new structure to
67 ensure continuity of mosquito management services.

68 A restructured oversight board would:

- 69 • Have a new name and clear statement of purpose that appropriately reflects the goals
70 of the mosquito management program.
- 71 • Ensure scientific consensus in mosquito management approaches, as well as consistency
72 and transparency in decision-making processes at the state and district levels.

MCTF Policy Structure Subcommittee
Final Recommendations: March 1, 2022

- 73 • Include representatives (i.e., Commissioners or their designees) from the appropriate
74 state agencies and universities, including representatives from these entities and
75 various groups within the agencies with appropriate expertise:
 - 76 ○ Department of Agricultural Resources
 - 77 ○ Department of Environmental Protection
 - 78 ○ Department of Public Health
 - 79 ○ Department of Fish and Game
 - 80 ○ a representative from University of Massachusetts
- 81 • Have subcommittees created by the oversight board that ensure the appropriate
82 accountable bodies are represented, such as representatives from Division of Ecological
83 Restoration, MassWildlife/Division of Ecological Restoration/Natural Heritage, external
84 experts in human and ecotoxicology, representatives from the DPH Bureau of
85 Environmental Health, representatives from academic and research institutions with
86 relevant expertise (e.g., public health entomologist), Department of Conservation and
87 Recreation, and representatives from the Municipal Associations.
- 88 • Be able to create additional subcommittees as needed (e.g., subcommittee with school
89 boards, departments of education, and others) to bring in additional experts and
90 perspectives as necessary).
- 91 • Be able to confer with other states to share best practices, lessons learned, and
92 techniques and insights on mosquito management.
- 93 • Expand upon the existing centralized Program with centralized operations and HR
94 functions (hiring, salary, similar to administrative functions of current SRB). A centralized
95 program would extend monitoring and surveillance to areas and species that are not
96 currently monitored, and create, support, and regulate regional mosquito management
97 districts or projects to work cooperatively with state and local public health and state
98 and municipal environmental agencies to monitor and intervene against mosquitoes
99 and mosquito-borne diseases.
- 100 • Provide oversight on public (e.g., MCD) and commercial mosquito management
101 operations. Determine the correct balance of state and district oversight to ensure the
102 appropriate level of independence for MCDs, while still providing centralized guidance
103 and allowing municipalities to obtain the mosquito management services they desire
104 and need, recognizing that these will vary across the Commonwealth.

105 An amended funding structure would:

- 106 • Ensure that mosquito management services are provided across the state (not just
107 where communities can afford services) to ensure comprehensive coverage of
108 monitoring, surveillance, and intervention.
- 109 • Potentially include a base fee for municipalities to fund services such as: monitoring,
110 education, research and quality management.

MCTF Policy Structure Subcommittee
Final Recommendations: March 1, 2022

- 111 • Fund new data and IT systems to track and report on mosquito management
112 operations, results and opt-out process and effectiveness of management techniques.
113 • Fund periodic review of the mosquito management program.

114 An amended c. 252 and repeal of enabling legislation would create frameworks for:

- 115 • Consensus-driven, science-based mosquito management.
116 • Development of a mosquito-borne disease management plan (IPM with standardized
117 metrics, evaluation protocol to determine efficacy of management, and thresholds for
118 action).
119 • Engagement with local officials, conservation commissions and watershed associations.
120 • Statewide educational outreach and support to local BOHs.
121 • Periodic public input and reviews of program effectiveness to determine preferences of
122 MCD member towns.
123 ○ At a minimum, enable public comment and input on new statewide mosquito
124 management plans.
125 • Transitioning of the current MCD staff into the new program so that current MCD staff
126 retain their jobs and mosquito management efforts continue throughout the
127 program/SRB transition period.
128 • Updating of the GEIR.

129 Voting Results

- 130 • Seven subcommittee members supported this recommendation.

MCTF Policy Structure Subcommittee
Final Recommendations: March 1, 2022

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

3 **Recommendation POL-2:** Amend the Massachusetts Stormwater Handbook (and relevant local
4 land use and stormwater regulations)

5 Background

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

10 Updates or amendments to the Handbook and relevant land use and stormwater regulations to
11 require low-impact development practices will contribute to more holistic mosquito
12 management practices across the commonwealth and could contribute to design of
13 maintenance free or low maintenance practices and could also allow for the consideration of
14 climate change and associated impacts. Stormwater management is part of an MCDs' duties,
15 and by encouraging low-impact and low-maintenance design of stormwater management
16 systems, the burden for management could be lessened.

17 Recommendation

18 Amend the Massachusetts Stormwater Handbook (and relevant local land use and stormwater
19 regulations) to ensure that newly created stormwater retention and detention basins, including
20 but not limited to, catch basins, sediment forebays, vegetated filter strips, and bioretention
21 swales:

- 22 • Drain or otherwise percolate to a state of no standing water within three days (in the
23 case of stormwater structures that are intended to do so) so as not to provide habitat
24 for the development and emergence of mosquitoes.
- 25 • If stormwater structures are designed to retain water for longer than three days, allow
26 this to happen, but in a way that does not allow for mosquito breeding (e.g., if the water
27 retention area becomes a more permanent water body, have aquatic organisms present
28 that will eat mosquito larvae). Alternatively, the site can be treated to prevent
29 development and emergence of mosquitoes.
- 30 • Use low-impact development techniques that are designed to require minimal
31 maintenance.
- 32 • Be maintained with sufficient frequency to preclude these features to not produce
33 mosquitoes;
- 34 • Be listed with the regional MCD and municipal BOH so that the structures may be
35 monitored and treated, as appropriate.

36 Voting Results

MCTF Policy Structure Subcommittee
Final Recommendations: March 1, 2022

- 37 • Six subcommittee members supported this recommendation.
- 38 • One subcommittee member abstained. The reason for the abstention was:
- 39 • One SC member likes the idea but wasn't sure if the addition of suggestion that people
- 40 treat standing water over three days old may neutralize the benefits of this idea, which
- 41 pushes people in the direction of treating by better management of standing water
- 42 rather than relying on pesticides.

MCTF Policy Structure Subcommittee
Final Recommendations: March 1, 2022

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

3 **Recommendation POL-3:** Revise the structure, function, and funding of MCDs to ensure a
4 comprehensive and cohesive framework for mosquito control across Massachusetts that
5 establishes baseline mosquito control services for all towns/municipalities in the
6 commonwealth, allows towns to join MCDs at lower costs, and allows people/member towns to
7 add services as they wish/as needed

8 Background

9 A revised framework for the MCDs and their oversight could contribute to greater consistency
10 in mosquito management in MCDs across Massachusetts and could potentially support a
11 “menu-based” approach to mosquito management services. Towns/Municipalities who are
12 members of MCDs may feel their needs/preferences are being better considered through this
13 “menu-based” approach. A “menu-based” approach may be an incentive for more towns to join
14 MCDs, which could contribute to wider-spread education, surveillance, and mosquito
15 management throughout the Commonwealth. If certain services require a minimum of towns
16 to sign on to make it financially feasible for a district, MCDs should establish these
17 thresholds/targets and the new oversight board could and should identify means of subsidizing
18 these services if a district cannot recruit the minimum number of communities. Note that in
19 communities not currently monitored, these additional services will require additional funding
20 and resources.

21 Recommendation

22 Revise the structure, function, and funding of MCDs to ensure cohesive and comprehensive
23 mosquito management services across Massachusetts that includes baseline services such as
24 education, surveillance, and source reduction. Revised structure, function, and funding for
25 MCDs would allow towns to join MCDs at lower costs and allow people/member towns to add
26 additional service such as local stormwater management, larviciding, and adulticiding as they
27 wish/as needed.

28 A framework would:

- 29
- Provide for two levels of services:
 - 30 ○ **Basic state-funded services** (such as education; disease [in nonhuman species],
31 pathogen, and mosquito population surveillance; source reduction) performed
32 by the state and supported by tax dollars. All communities on a regional basis
33 would receive these services, regardless of MCD membership.
 - 34 ○ **Additional services** (such as larviciding, adulticiding, and local storm water
35 management) would be municipally funded either through cherry sheet
36 deductions or direct appropriation through opting into those services, with

MCTF Policy Structure Subcommittee
Final Recommendations: March 1, 2022

37 towns being required to opt in for a three-year minimum. Only communities who
38 indicate a desire to receive these services would receive them.

- 39 • Support a cohesive mosquito management program with all MCDs as part of one system
40 with centralized data systems to keep track of operations and standardized policies that
41 all districts abide by. Data reporting will be overseen by the new oversight board.
- 42 • Provide support for the basic and administrative costs of the MCDs, as well as capital
43 improvement and capital equipment costs need for mosquito management actions.

44 If disease risk is identified, pathogen-carrying mosquitoes would be managed with the
45 appropriate response as determined by the new SRB.

46 Voting Results

- 47 • Six subcommittee members supported this recommendation.
- 48 • One subcommittee member did not support this recommendation. The reason for the
49 dissenting opinion was:
 - 50 • The subcommittee member agreed with the recommendation but felt that it was
51 incumbent in mosquito policy to ensure a maximal benefit to applications. This
52 precludes spraying based on individual requests.