

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



Maura T. Healey
GOVERNOR

Kimberley Driscoll
LIEUTENANT
GOVERNOR

Rebecca L. Tepper
SECRETARY

Ashley E. Randle
COMMISSIONER

State Reclamation and Mosquito Control Board Meeting – Emergency Meeting

Date: 8/24/24 at 12:00 p.m.

Location: Meeting held remotely via Zoom

Call to Order and Attendance:

The meeting was called to order by SRB Chair and MDAR Commissioner, Ashley Randle, at 12:00 pm. Additional SRB members in attendance included Mia McDonald (DEP) and Jim Straub (DCR). A meeting quorum was met.

Review and Discussion of the Massachusetts Department of Public Health's ("DPH") "Certification of a Public Health Hazard That Requires Pesticide Application to Protect Public Health" ("Certification").

Commissioner Ashley Randle noted that the certification of a public health hazard was received by the State Reclamation Board the morning of 8/24/24 from the Department of Public Health (DPH) due to the testing that had been conducted and the increased risk of EEE in humans. Ashley Randle asked if there were any questions from the Board members regarding the certification that was received from DPH and there were no questions.

Review and Discussion of SRMCB action needed in response to DPH's Certification, including the application of pesticides as it deems necessary as authorized by M.G.L. c. 252 (Vote Required)

Ashley Randle noted that there were a few motions that would be put forth for vote in the areas of certification for Plymouth and Worcester counties and added that if there were any questions the Board could discuss the motions before voting. Ashley Randle put forward the first motion to recognize that aerial and truck-based spraying under the supervision of the State Reclamation and Mosquito Control Board ("SRB") are necessary as a result of the Massachusetts Department of Public Health's ("DPH") issuance of a certification of public health hazard and that such pesticide applications are necessary to protect the public health from Eastern Equine Encephalitis virus ("EEEV"). The motion was seconded by Jim Straub. Jim Straub asked when the certification was in effect until, and Ashley Randle noted that the certification was in effect until 9/3/24. A roll call vote was conducted. Mia McDonald (aye), Jim Straub (aye), Ashley Randle (aye).

Ashley Randle put forward the second motion to authorize SRB employees, Massachusetts Department of Agricultural Resources ("MDAR") and its employees, mosquito control project and district employees, and all contractors acting on the SRB's behalf, to proceed with all necessary activities related to the certification by DPH, including the aerial and truck-based application of pesticides and any necessary reapplication, and to authorize the SRB Chair to direct the coordination and delegation of any such activities necessary to carry out any and all necessary activities to support such pesticide applications during those dates set forth in the certification. The motion was seconded by Mia McDonald. A roll call vote was conducted. Jim Straub (aye), Mia McDonald (aye), Ashley Randle (aye).

Ashley Randle put forward the third motion to request a waiver of any exclusions submitted to MDAR pursuant to 333 CMR 13.03. The Motion was seconded by Mia McDonald and a question was asked regarding the types of exclusions within 333 CMR 13.03. SRB General Counsel, Jessica Burgess, added that this request only included private property owner exclusion requests. Hearing no further questions a roll call vote was conducted. Jim Straub (aye), Mia McDonald (aye), Ashley Randle (aye).

Ashely Randle put forward the final motion to authorize the SRB Chair to execute all necessary documents and take all necessary steps needed to authorize these activities on behalf of the SRB, including but not limited to, notices to proceed to any contractor, notices required under M.G.L. c. 252 or any other provision of law, and any other decisions necessary during the course of the spray activities consistent with the certification and applicable law. Mia McDonald seconded the motion. A roll call vote was conducted. Jim Straub (aye), Mia McDonald (aye), Ashley Randle (aye). Mia McDonald asked about an updated timeline for spraying operations. Director of Crop and Pest Services, Taryn LaScola, noted that now that the SRB approved this, the contractor would be notified, and timing would depend on how long it would take to have product shipped and the weather. It was added that the hope was to have operations up and running by early to mid-next week.

Adjourn Meeting:

Hearing no further comments or questions, Ashley Randle entertained a motion to adjourn the meeting. The motion was seconded by Mia McDonald. A roll call vote was conducted. Ashley Randle (aye), Mia McDonald (aye), Jim Straub (aye). The meeting was adjourned at 12:10 pm.