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February 15, 2008

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
ESTABLISHING A SPECIAL REVIEW PROCEDURE

PROJECT NAME : Mosquito Control Program  
PROJECT MUNICIPALITY : Statewide  
PROJECT WATERSHED : Statewide  
EOEA NUMBER : 5027  
PROJECT PROPONENT : Department of Agricultural Resources - State Reclamation  
and Mosquito Control Board  
DATE NOTICED IN MONITOR : November 26, 2007

Pursuant to the Massachusetts Environmental Policy Act (G.L. c. 30, ss. 61-62H) and Section 11.09 of the MEPA regulations (301 CMR 11.00), I hereby establish a **Special Review Procedure (SRP)** to guide the MEPA review of this project. This SRP establishes a programmatic review process for ongoing activities of the Mosquito Control Program. In separate Certificate also issued today, I have established a Scope to guide ongoing review of this project.

The State Reclamation and Control Board (SRMCB) is comprised of one representative each from the Department of Environmental Protection (MassDEP), the Department of Food and Agriculture (DFA) and the Department of Environmental Management (DEM) and exercises responsibility for nine mosquito control projects in Massachusetts (Berkshire County, Bristol County, Cape Cod, Central Massachusetts, East Middlesex County, Norfolk County, Plymouth County, Suffolk County, and the North east Massachusetts Mosquito Control and Wetlands Management District (formerly Essex County MCP). The SRMCB was the designated lead agency in preparing the Mosquito Control GEIR. The last MEPA filing by the SRMCB, in 1998, was intended to provide a description of then-current data, practices and standards used to control mosquitoes statewide. The purpose of the GEIR was to gather in a single document information on the methods and environmental impacts of mosquito control and eradication in Massachusetts. The GEIR focused primarily on salt marshes, their respective pest mosquito problems and the effectiveness of related mosquito control activities.

The Certificate on the GEIR reflected the SRMCB's commitment to provide annual updates, by which the SRMCB proposed to continually update and supplement the GEIR. The SRMCB submitted its first annual update on November 26, 2007, that included best management practices (BMPs) and operational guidance for mosquito control activities conducted in freshwater wetland resource areas.

### SPECIAL REVIEW PROCEDURE

The programmatic nature of this project warrants the establishment of a Special Review Procedure (SRP), which will provide meaningful opportunities for public review of analysis of alternative methods of mosquito control and their benefits and impacts, and consideration of cumulative environmental impacts. While I acknowledge the administrative and financial challenges imposed by ongoing MEPA review, there is clearly a need and a benefit, recognized in previous Certificates on this project, for regular reporting and review. The purpose of the SRP is to establish a framework and clear expectations for the timely future filings to the MEPA Office by the SRMCB. I have issued a separate Certificate today that describes the required content of future filings by the SRMCB, which shall be governed by the following process.

The SRMCB shall file its first "EIR Update" within six months of the date of this Certificate. The purpose of the first EIR Update will be to provide for MEPA review and public comment all policies and management practices that have been developed and implemented by the SRMCB since the GEIR was published in 1998. In addition, the first EIR Update shall provide the outline of a proposed workplan and schedule for subsequent EIR Update filings, subject to guidance included in the separate scoping Certificate issued today. I will modify the scoping Certificate for ongoing review and establish a schedule for subsequent EIR Update filings based on my review of the first EIR Update and comments from agencies and the general public. Because the first EIR Update will be a compilation of existing materials, I am deferring a determination on the need for a Citizens Advisory Committee to assist me in my review of future SRMCB filings based upon my review of the first EIR Update document.

Lastly, I note the strong support expressed in public comments received on the first annual update for a more robust and consistent assessment of mosquito control practices. I appreciate the SRMCB's recent filing, and ask that the SRMCB work diligently to continue to provide detailed documentation to ensure a meaningful review of the mosquito control and eradication program in Massachusetts.

February 15, 2008  
Date



Ian A. Bowles, Secretary  
Executive Office of Energy and Environmental Affairs

February 15, 2008  
Date



Mark Buffone, Chairman  
The State Reclamation and Mosquito Control Board,  
Massachusetts Department of Agriculture Resources

## Comments received:

01/22/08 Mathew Selby, Ashland Conservation Commission  
01/15/08 Carol Hurley  
01/17/08 Town of Stow, Conservation Commission  
01/17/08 Judith Eiseman  
01/17/08 Lynn Southey  
01/18/08 Mass Audubon, Berkshire Environmental Action Team, Charles River Watershed Association, Clean Water Action, Conservation Law Foundation, Eel River Watershed Association, Ltd., Green Decade Coalition/Newton, Jones River Watershed Association, Massachusetts Association of Conservation Commissions, Mystic River Watershed Association, North and South Rivers Watershed Association, Organization for the Assabet River, Public Employees for Environmental Responsibility, Soule Homstead Education Center, Taunton River Watershed Alliance, The Enviro Show – WXOJ-LP, Watchdogs for an Environmentally Safe Town, Water Supply Citizens Advisory Committee, Wolf Trap Hill Farm, Douglas Albertson, John R. Bator, Judith Eiseman, Bethe Epstein, Frederick J. Fawcett, 2<sup>nd</sup>, Eileen Gunn, Shel Horowitz, Paul Lipke, Sarah Little, Lindsay Martucci, Deirdre C. Monoyo, Ann McNeal, Martha A. Nathan MD, L. Maeve Ward  
01/22/08 Jones River Watershed Association, Inc.  
01/23/08 Green Futures  
01/23/08 The Nature Conservancy  
01/23/08 Alexandra Dawson  
01/23/08 Mass Audubon  
01/25/08 Natural Heritage and Endangered Species Program (NHESP)

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#5027 SRP