May 14, 2021

**Memo to: Heath Select Board members**

**From: Board of Health members**

**Re: Recommendation regarding opting out of mosquito aerial spraying**

As you have been informed by the State, all MA cities and towns may opt out of State pesticide aerial and ground pesticide spraying with a deadline of May 28th. We, the members of the Board of Health, can fully appreciate the concerns about spraying in our community. On the surface, it may appear wise to opt out of such spraying for any reason and to maintain control over our town. However, we members of the Board of Health voted on Friday, May 14, to recommend to the Select Board to opt out of some spraying and no other types.

The State offers us an opportunity to opt out of aerial spraying while retaining the service of ground spraying should Heath find itself facing an extreme emergency risk of mosquito-borne disease(s) which would cause the State to declare a Public Health Emergency. (See Reference A: <https://www.mass.gov/doc/application-for-municipality-opt-out-of-srmcb-spraying-updated-may-6-2021/download>)

In coming to this conclusion, we had the benefit of expert counsel from Dr. Henry Godek, Susan Gruen, R.N.C., F.N.P., M.P.H., Carolyn Shores Ness, Commissioner of our Pioneer Valley Mosquito Control District, Randy Crochier, FRCOG Regional Health Agent, Gene Garland, ex officio member of the Board of Health and credentialed Registered Environmental Health Specialist (REHS), and a lengthy report of extensive background research provided to us by Dr. Barbara Gordon. Links to some of her resources are included in this message.

Please also note that the BoH members at first voted to recommend to the Select Board not to opt out of aerial or ground spraying. Based on expert opinion and research, the BoH members concluded that if the risk of these diseases with such a high mortality rate were to rise to the level of a Public Health Emergency, it would be prudent to exercise all mitigation processes. The BoH members further noted that ground spraying might not feasibly be possible for some mosquito habitats in Heath where aerial spraying only would reach. The BoH members agreed that the probability of needing spraying of any kind is exceedingly remote given our early detection, testing, and mitigation efforts. If the risk were to rise to the level of a State Emergency, however, Heath might welcome the State’s support. Nonetheless, given the concern voiced by several of our Town residents, the BoH members offer this solution as a viable compromise: **opt out of aerial spraying, and retain ground spraying**. These are the reasons for our recommendation:

**Context**: At the outset of its deliberations about opting out of spraying, the BoH members reminded themselves of the comparative risks: 1 in 55 people with Covid will die while 1 in 3 people with EEE will die. Adding in West Nile Virus, Zika and other mosquito-borne diseases, the significance of controlling those diseases is quite apparent.

1. As members of the Pioneer Valley Mosquito Control District (PVMCD), Heath now has the benefit of regular data collection starting early in the season. If disease-carrying mosquitos are found, we can choose to do early treatments of larvae to reduce the number of positive mosquitos. We would have the benefit from the early trapping and testing to know where these disease-bearing mosquitos breed and we could target those areas specifically with the larvicide.

With this early detection and ability to treat the targeted areas early in the season, thanks to being members of the PVMCD, we are able to greatly enhance our ability to prevent problems that would escalate to the level of a Public Health Emergency being declared in our community. The State would mandate spraying in Heath ONLY if a Public Health Emergency were declared, which again, we as members of the PVMCD have a greater opportunity to avoid.

Based on history to date, along with our current surveillance and intervention program provided by PVMCD, it is very unlikely that we will have a problem severe enough to require a State-mandated intervention. In the extreme possibility that the State were to consider declaring a Public Health Emergency in Heath, we would still have a “seat at the table” whereby our voices could be heard, through the PVMCD during State deliberations whether to declare a Public Health Emergency in our town.

The important thing to note is that if a significantly sufficient serious mosquito- borne disease health threat should develop in Heath, by NOT opting out of ground spraying, we would retain the full logistical and financial support of the State in combatting that very high risk of disease. Chances are that if our risk in Heath were to ever rise to the level of a Public Health Emergency, we could be in the position of welcoming the support, both financial and logistical, of helping us to mitigate that risk without its costing the Town funds and sourcing expertise, which we do not have, to do so. By opting out of aerial spraying and retaining ground spraying by the State, Heath would be provided that service at no cost, while still preventing aerial spraying.

1. If we fully opt out of the State Mosquito control program, and we find ourselves facing a serious and escalating health threat, we will be totally on our own and forced to bear the full brunt of planning and executing an emergency intervention. The expense for such an intervention would likely be crippling to our limited finances, and we would be hard pressed to hire private support equivalent to the extensive expertise provided by the various levels of Massachusetts State resources currently dedicated to this issue. (See reference B: <https://www.mass.gov/doc/massachusetts-emergency-operations-response-plan-for-mosquito-borne-illness-0/download>)
2. We are reminded that as members of the PVMCD, response to any early escalating indications of disease risk is fully within our local control and supported and paid for by our PVMCD or their established mutual aid agreements with other nearby districts. They would provide us with guidance, but we would have final say in what interventions were employed, where, and when.
3. Note: the Select Board’s decision on this matter will be final until the end of the calendar year. If we opt out, we will not have the opportunity to opt back in until 2022.

In order to partially or fully opt out, the following criteria must be met:

“1. The municipality must hold a meeting of the City Council or Select Board, at which a vote must be taken indicating the municipality’s intention to opt out of spraying (including aerial or other mosquito control spraying) conducted by the SRMCB.

a. This meeting should include input on the Plan from the local board of health and allow for public comment.

b. The vote should include the following:

i. The date and time of the public meeting

ii. That the board of health was consulted

iii. That public comment was allowed

iv. **Whether the municipality is opting out of all spraying or only certain spray activities, such as aerial spraying.**

If a vote does not include that it is for a specific type of spraying, the vote will cover all spray activities conducted by the SRMCB under M.G.L. c. 252, Section 2A; and

v. That the vote to opt out will only be honored if an alternative mosquito management plan is submitted and approved by EEA.

2. The municipality must include a copy of the certified vote must be included as part of the application for approval of a Plan.

3. The municipality must complete this application for approval of a Plan and submit it to EEA at the following address: EEAopt-out@mass.gov4.

All applications must be received by end of day on the issued deadline” (May 28, 2021).

In reviewing the application form, communities who are part of a mosquito control group such as PVMCD do not need to furnish a comprehensive mosquito control plan. That part of the application is skipped, and only the Public Education plan component is required.

With the approval of the Select Board, the Heath Board of Health is prepared to write and fulfill the Public Education requirements of this application.

Signed respectfully,

Members of Heath Board of Health

Armand Clavette

Henry Godek, M.D.

Susan M. Gruen, RNC FNP, MPH

Betsy Kovacs, MAT, MPH

John Palmer

Gene Garland, ex officio

Cc: Barbara Gordon, D.V.M.

Randy Crochier, FRCOG Health Agent