



METROPOLITAN MOSQUITO CONTROL DISTRICT

METRO COUNTIES GOVERNMENT CENTER

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January 5, 1999

James R. Nobles, Legislative Auditor
Office of the Legislative Auditor
Centennial Building
658 Cedar Street
Saint Paul, MN 55155

Dear Mr. Nobles:

We thank you and your staff for the professional manner with which you conducted the evaluation of the Metropolitan Mosquito Control District (MMCD). The Metropolitan Mosquito Control Commission (MMCC) appreciates the auditor's efforts in reviewing our program, and values the observations and recommendations offered. As Representative Ann Rest said at the Legislative Audit Commission meeting last spring, one of the primary goals of a program audit should be to identify ways to use tax dollars more efficiently. We look forward to incorporating your evaluation into our program keeping this goal in mind.

Controlling mosquitoes and biting gnats in the most environmentally sensitive manner is a serious responsibility, and your finding that the District is using appropriate control materials and methods is encouraging. MMCD is pleased with your conclusion that the control materials used by the District to kill mosquito and black fly larvae pose little risk to people and most nontarget species. In addition, you summarize that the Environmental Protection Agency, the World Health Organization, and the Minnesota Department of Health have found that resmethrin and permethrin, the control materials used to kill adult mosquitoes, should not be harmful to humans or the environment if applied according to label instructions.

Concerning governance of the District, our board believes very strongly that direct governance should remain with elected county commissioners who are accountable to the public for decisions and have experience in setting policy and administering programs. We disagree that having non-elected members representing special interests on our board would enhance our public responsiveness. In 1985 the District created a Technical Advisory Board (TAB) to facilitate cooperation with state agencies and the U. of MN, review the District's plans and operations, and present its ideas and recommendations to the Commission. Originally, TAB membership was comprised of professionals representing state agencies and the University of Minnesota. MMCD has expanded membership to include representatives of industry and environmental interests to gain even broader perspectives. The Commission believes that in its current form TAB provides

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an appropriate and responsive vehicle for other special interest input and independent perspectives. We do agree with your suggestion to formalize in writing the structure, roles and responsibilities, and appointment process for the TAB - and we will immediately begin that process.

Since its creation in 1958 MMCD has generally respected requests by private citizens and public property managers, including the Department of Natural Resources, to refuse treatment for larval and/or adult mosquito control operations unless public health considerations - such as disease or severe annoyance - dictated differently. The District's program is environmentally sensitive and establishes very liberal buffer zones for adult control materials to avoid affecting these properties. For over 40 years we have treated access onto public and private property as a privilege although the Legislature created that access as a statutory right.

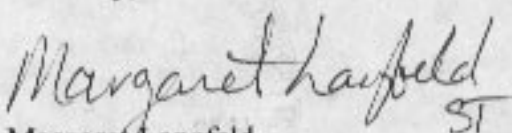
The intent of the state law related to MMCD's access to public property is clear. MMCD's activities related to physical modification of waterways are subject to state and county authority, but the Legislature wisely vested all other control decisions in the hands of MMCD's scientists and other professionals; that decision was clarified in 1982 with a specific directive to the DNR to allow MMCD access to state property for necessary and proper program purposes. Since research has shown, and OLA's evaluation has supported, the relative safety of our program, and that MMCD has used its statutory right responsibly and judiciously we suggest the existing statutes remain as written.

In the past MMCD has considered information on citizens who request or refuse service as non-public data. This information was not made public because experience showed that sometimes it caused conflicts. In October 1998 the District received an advisory opinion from the Minnesota Department of Administration regarding this issue. Within the opinion received, the District's counsel recommends that most of this information be classified as public in the future.

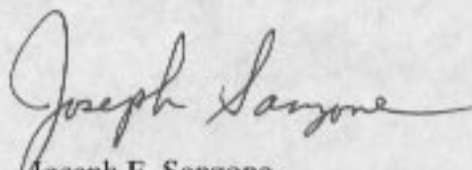
Finally, as you recommend, the District will continue the level of public notification provided in 1998, and will take the utmost care in presenting the most accurate information possible to the public. In 1998 the District contracted with the Wilder Foundation to conduct focus groups dealing with notification. These focus groups provided us with valuable information on what citizens want and expect regarding notification and other issues. The District will use this information to enhance our notification efforts, and improve communication with the public.

Again, we want to express our appreciation to the Office of the Legislative Auditor, and look forward to using this program audit to help in our ongoing efforts to improve service and use tax dollars more efficiently.

Sincerely,



Margaret Langfeld
Chair, MMCC



Joseph F. Sanzone
Director, MMCD