

# Vineyard Conservation

SPRING / SUMMER 2017



**Inside: BYOB is Six-for-Six • New Threats to Town Open Space • Outdoor Education • Nitrogen & Conservation History • Moshup Update**

## DIVING INTO THE DEEP END

Welcome to summer, members and friends of the Vineyard Conservation Society!

For this issue of our newsletter, the cover art comes to us via our annual high school art competition. Now in its fourth year, the “Art of Conservation” contest is an important part of our *Connect, Protect, Reflect* youth outreach program, aimed at fostering the next generation of Vineyard environmentalists. A welcome side benefit has been that the competition has produced over the years a wealth of wonderful images of priceless Vineyard habitats and open spaces, along with inspirational drawings, paintings, sculptures, and more.

Out of all the works, Ava Stearns’ photograph “The Deep End,” a stunning view across Look’s Pond in West Tisbury, felt especially appropriate because it speaks to the issues and challenges facing us — locally and globally, today, and in the near future. The clearest of these is the importance of water quality, specifically management of nitrogen contamination in our coastal ponds. On pages 6-7, we present the history of efforts to rein in nitrogen and an update on where we stand today. That story is accompanied by a spectacular aerial photo of the Edgartown Great Pond by local photographer David Welch, who also played a vital role in this year’s art contest (thank you, David — twice!).

But what the hazy background of Ava’s photo also evokes is our unclear future, both in terms of the environmental movement at the national and global scale, but also idiosyncratic yet significant threats at the local level. As we reflect on our inventory of conserved open space on the Vineyard, we now must ask the question, “exactly how *permanent* is the protection of conserved land?”

This question arises due to two local efforts (with others sure to follow) to reverse conservation protection on town-owned lands. VCS has staked out a position in defense of our forests

and public water supply protection areas. As described in the story below, a recent court decision weakened protections on town-owned land, causing a rush by localities to develop municipal projects on land originally acquired for conservation purposes. It is an uphill battle for conservation, as these “conversions” become increasingly common when otherwise worthy public goods, such as schools and renewable energy projects, compete for our dwindling open space.

Despite the threats, there is also much to celebrate this summer. Following this spring’s vote, all of Martha’s Vineyard is now plastic bag free, and new refill stations for reusable water bottles have been installed in every public school, eliminating thousands of disposable bottles from the waste stream (see pages 8-10 for updates on local waste reduction). Legal research secured a clean title for another parcel at Moshup Trail (pg. 4), and we are excited to have a new 20<sup>th</sup> Anniversary, Fifth Edition of our best-selling *Walking Trails* guide back on the shelves of local stores. Finally, we celebrate the life of past board president Mait Edey, philosopher and conservationist, who steered VCS through seas foul and fair before leaving us at the age of 81.

Returning once more to “The Deep End”: the path forward may be obscured by mist — after all, the future *is* difficult to predict — but the foreground is in extremely sharp focus. For those of us who remain vigilant, our task is clear. We will uphold the trust the Island community has placed in us for more than half a century. As we pursue our mission to preserve the environment, character and quality of life of Martha’s Vineyard, we will respond vigorously to present threats and opportunities, always with an eye toward future issues as they emerge from the mist. Let’s dive in together!

houses of the state legislature, and a super-majority (two-thirds) vote to proceed with development.

However, due to the result of a recent state Supreme Judicial Court case, there are new requirements that threaten to strip Article 97 protections from many parcels across the state. Under the new interpretation, Article 97 only applies to parcels where a “natural, scenic and open space protection” purpose is explicitly recorded in the deed. Right now, all across the state, towns and conservationists alike are scrambling to examine the titles of municipal parcels long understood to be conserved in perpetuity. Consider, for example, a situation in which it is well known (and perhaps documented elsewhere, such as Town Meeting minutes) that a piece of land was acquired to be conserved open space, but no such language exists in the deed.

In recent months, two local instances of this new vulnerability have been revealed. In Tisbury, the town’s aquifer protection lands (the “Manter Well”) were placed on the table as a candidate site for a new primary school. And in Oak Bluffs, the town’s Water District brought a plan before the MV Commission to develop a solar farm on 10 acres of ancient woodland (which also was located within the town water supply “zones of contribution”).

VCS mobilized to challenge both proposals, citing Article 97 as well as concerns about habitat impacts. Both actions should be characterized as successes, as the land was saved from the immediate development threat, but with the qualification that the broader Article 97 vulnerability remains unresolved.

Particularly unclear is the ultimate fate of the Manter Well site in Tisbury. This June, the new school planning committee voted by a razor thin 8-7 margin to keep the school at its present downtown location, rather than at the Manter site. However, there were strong reasons independent of environmental concern for that decision, and it is unclear that town officials accept the argument that the Manter site is protected by Article 97. This parcel is an especially attractive site for development because, having long been understood to be protected, it is now surrounded by other conservation purchases (by the MV Land Bank), in an effort to create a larger “greenbelt” habitat connector. An important priority for VCS going forward will be title research to determine the degree of vulnerability of this and other town lands. *Note to VCS members: please consider a targeted gift for this purpose.*

On the Oak Bluffs proposal, VCS and colleagues testified to the environmental impacts, i.e. that clearing 10 acres of ancient forest to build a solar farm was, on balance, a net negative. Apart from the obvious harm of destroying important habitat, the effective reduction of carbon emissions through the generation of clean energy would be much greater if the solar panels were sited consistent with the state’s published guidelines, e.g. on rooftops, parking canopies, and previously degraded or disturbed land.

We also rejected the applicant’s novel argument that the property was exempt from Article 97 protection because the necessary conservation language — which actually did appear in the deed — was relegated to a preamble “whereas” clause, instead of the body of the document! Under their review of the project as a Development of Regional Impact, the MVC denied the proposal by a vote of 11 to 2.

While we have long prepared for it, these episodes serve as an unmistakable warning shot. As population escalates and pressure on dwindling land resources intensifies, the need for vigilance will be greater. In its “watchdog” role, VCS must be capable of moving rapidly and acting decisively. The ongoing capital drive to build this capacity (describe below) is intended to ensure that we can do that.

### CHALLENGE MATCH FOR CAPACITY CAMPAIGN

Launched as part of our 50<sup>th</sup> anniversary, the VCS Capacity Campaign — a major fundraising effort to broaden our conservation and education capabilities — has now surpassed the half-way point. We are well on the way to reaching our goal of raising a minimum of \$2 million over the next two years!

This winter we received a two-year, \$100,000 per year gift, as well as a three-year, \$100,000 per year pledge that was framed as a challenge match. So we are now reaching out to every member and supporter of Vineyard conservation for a one-time “stretch” gift to help us match that challenge, dollar-for-dollar. With your support, completing the campaign will allow us to decrease our reaction time when crises erupt, expand our ability to provide legal, technical, and land stewardship services, foster the next generation of local environmentalists, and continue to be the voice for environmental protection on Martha’s Vineyard.

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## UPDATE: LAND PROTECTION AT MOSHUP TRAIL



Shown here in purple, the recently secured Set Off #562 filled a prominent gap in the conservation lands at Moshup Trail, shaded in yellow. Much of the conserved land to the northeast of #562 is held by the MV Land Bank.  
*GIS and aerial imagery: Google Earth.*

that a gap existed between that time and the original 1870 Set Off, when the parcel was granted to a resident named Priscilla Williams. No conveyance of the deed from Ms. Williams could be found, and her estate was not probated.

Needless to say, in the face of mounting tax bills, there was considerable urgency to resolve the issue. After many hours of work by lawyers, genealogists, and VCS staff researching records in the Town Hall vault, we filed a civil action in the Superior Court, describing our efforts and requesting a Default Judgment in favor of VCS. This judgment was granted, and on May 1 we recorded in the Registry of Deeds the Order from Judge Cornelius Moriarty: “. . . that Vineyard Conservation Society, Inc., is the owner in fee simple absolute of the premises shown as Lot 562.” Pass the champagne!

### OUTDOOR CLASSROOM PROJECT TAKING SHAPE

As part of our “Connect, Protect, Reflect” initiative, VCS has been working with Island schools on an “Open-Air Pledge” — a collaboration with teachers to dedicate a portion of time each week to outdoor activities. As exposure to nature is increasingly understood as critically important for youth education and development, providing access to natural areas for education is a logical area for partnership between schools and conservation non-profits. However, in the tightly-scheduled school day, a critical limitation on outdoor education is travel time.

That is why we are excited to announce a collaboration with the Edgartown School, funded by the Edey Foundation, to create an outdoor education space at the Mary Black Sanctuary, a small (2.85 acre) wooded parcel located just a short walk from the school. The property, donated to the Town in 1993 by the family of conservationist Mary Martin Black, is protected by a conservation restriction held by VCS. Mary’s son Noel Everett Macy had wanted the land permanently protected. Following his passing, Noel’s widow Meg and family completed the project. Their intentions were for the land to be available for education and quiet contemplation.

Currently, the Sanctuary is a refreshing bit of open space and seclusion in the middle of the heavily developed town center. However, making it more suitable for educational use will

take some work. A narrow trail exists, around which poison ivy is thriving, and a variety of exotic ornamental tree species, originally planted by Mrs. Black, are now completely overwhelmed by invasive vegetation.

The goal is to create a plan in collaboration with the Edgartown School for ongoing usage, restoration, and management that will allow the sanctuary to become a dynamic outdoor classroom. The first step involved commissioning a modern survey. We also hope to partner with the Town to help improve (or possibly re-route) the trail and clear debris.

### WELCOME ABOARD!

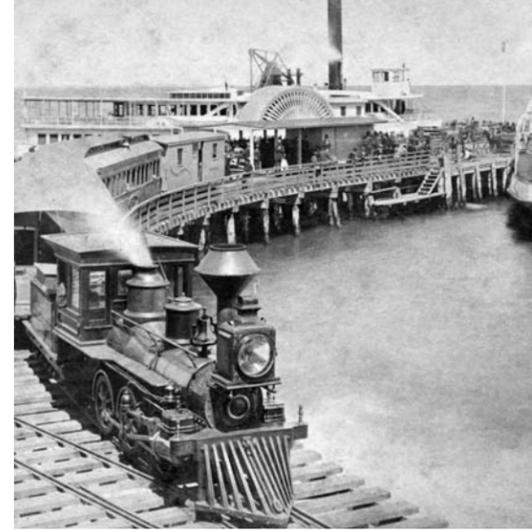
*VCS is governed by a Board of Directors, our ambassadors of the mission. This year we are thrilled to welcome two strong additions:*

Year-round Tisbury resident **Michael Loberg** is a scientist and entrepreneur. He earned his PhD in Chemistry at Washington University (St. Louis), has academic experience at the University of Maryland, as well as professional experience in the pharmaceutical industry. He is the President of Vineyard Medical Care LLC and has served for many years on the Tisbury Board of Health. In that role, Michael worked with VCS and colleagues to pass a six-town bylaw controlling the use of lawn fertilizers, and to put into place a licensing requirement for commercial fertilizer applicators. He is now leading the effort to develop and permit an innovative nitrogen removal system intended to reduce contamination of our ponds and surface waters from residential septic systems.

Vice President and Account Director at Martha’s Vineyard Financial Group, **Bart Partington** comes to VCS with a strong background in investment management, holding degrees from Middlebury and the Leonard N. Stern School of Business at NYU. Bart also has lifelong Vineyard ties, spending childhood summers with his parents and brother in Edgartown, and in more recent years driving with his two daughters in the Fourth of July Parade in a classic ragtop Fiat Jolly from the Italian Expo at the 1964 World’s Fair. About serving at VCS, Bart said, “My respect for the special qualities of the Island goes back more than 50 years. When

One interesting feature of the Mary Black Sanctuary is the still-visible path of the Martha’s Vineyard Railroad, which operated from 1874 to 1896, carrying passengers from the steamship dock in Oak Bluffs (shown here) through Edgartown to Katama.

*Image courtesy Chris Baer*



I looked to serve on the board of a non-profit, VCS made sense for me — it’s local, hands-on. I really enjoy working with the team from the bank for the annual Earth Day beach clean-up. And most important to me is that VCS is constantly on the watch to safeguard the best interests of this special place.”

### PASSINGS

*Maitland Armstrong Edey*

At year’s end, VCS and the Island community lost pioneering conservationist Mait Edey, at the age of 81. Mait served on the VCS board for more than a decade, including as board president. During that time, he participated in many of the organization’s signature successes: advocacy around the protection of Moshup Trail, Polly Hill Arboretum, Waskosims Rock, Woods Preserve and Allen Farm, as well as legal defense against golf course proliferation and the development of the Nobnocket site in Tisbury and Herring Creek Farm in Edgartown. He was also a fierce devotee of the Earth Day Beach Clean-up, once remarking “. . . a little kid comes to the beach clean-up, that kid is not going to throw trash on the beach anymore.” Thank you Mait, and we’ll miss you.

*Stephen Kellert*

Last November, we also lost Stephen Kellert, professor at the Yale School of Forestry and Environmental Studies. An important contributor to the academic field of biophilia, Steve co-authored the landmark “Biophilia Hypothesis” with biologist E.O. Wilson, as well as many other books and papers. Biophilia explores the concept that humans have an innate

affinity for, and need to connect with, nature. Steve wrote and spoke extensively on this connection, and its link to health and healing.

While serving on the VCS board, Steve helped shape our “Connect, Protect, Reflect” initiative, a series of education and outreach programs intended to better connect our youth — the next generation of local environmentalists — to the natural world. VCS extends our sympathy to his wife Cilla, and daughters Emily and Libby.

*Mait Edey at Lambert’s Cove Beach, where he captained the Earth Day clean-up team from its 1992 beginning all the way through 2016.*



In 1870, the Commonwealth “Set Off” into individual parcels land that had been held in common usage by the resident Native Americans for centuries, superimposing a grid of hundreds of small rectangular lots upon the map of the newly formed Town of Gay Head (now Aquinnah).

#### “524” to SMF

One of those Set Off lots, #524, came into VCS ownership at the end of 2013 as part of the generous Red Gate Farm land gift. As we go to press, we are pleased to announce the conveyance of Set Off #524 to our colleagues at Sheriff’s Meadow Foundation. SMF owns an abutting parcel, and #524 will fit nicely into their long term management plans for the area. The sale also benefits VCS, as the proceeds will fuel continued conservation and legal defense work within the more central area of our Moshup Sanctuary.

We are particularly grateful to the Tisbury donor who made the transaction possible. She read of the opportunity in a recent SMF newsletter, understood its conservation importance, and stepped right up. Thank you!

#### “562” to VCS

At the other end of Moshup Trail, in the heart of the rare heathland of the VCS Moshup Sanctuary, well-deserved celebration is in order. Another parcel acquired through the Red Gate Farm gift, Set Off #562, has long been the missing “donut hole” of the sanctuary — an unsecured lot surrounded by hard-won conservation land. (#562 is theoretically buildable, but landlocked; the very issue that spurred 20 years of legal defense.)

Unfortunately, as with many of the parcels acquired through the Red Gate Farm gift, there was much work to do before VCS would be able to qualify for local property tax exemption as a charitable organization. Town assessors have required that we demonstrate perfect title through legal research; until then, tax bills continue to accrue.

Our preliminary examination revealed a clear line of title back to one Charles Mingo in 1902, but we also determined

# KING NITROGEN

## How one common element came to dominate the conservation conversation

Water quality protection has been a VCS priority since our founding. As such, we heartily welcome this spring's new draft rules aimed at protecting coastal ponds presented by our regional planning agency, the MV Commission. As a result of growth and development, water quality has steadily deteriorated in almost all of the Island's ponds.

The purpose of the draft regulations is to rein in nitrogen contamination, primarily from wastewater generated by homes and businesses. Our septic systems, through the hard work of beneficial bacteria, convert nitrogen-rich ammonium to nitrate, which then passes through the Vineyard's porous soils, flowing with groundwater to our ponds and estuaries. Nitrate acts as a plant nutrient, over-fertilizing our waterways, causing algae growth that can cripple marine habitat for shellfish and other forms of life.

The catalyst for this latest regulatory action is the Massachusetts Estuaries Project from the state's Department of Environmental Protection. The MEP has worked with Island towns over the last several years to generate data about nutrient loads and limits for individual ponds, and strategies for nitrate reduction.

### The Nitrogen Time Bomb

Astonishingly, though revised several times since its passage in 1978, the regulations dealing with wastewater under "Title 5," the state sanitary code, have never seriously addressed the polluting effects of nitrogen. Neither real estate developers, nor the homeowners who actually generate the wastewater, are legally responsible for the harm caused by nitrate impacts on estuaries and other surface waters. Instead, this cost has generally been borne by the community at large, as well as pushed off into the future.

In the context of land use on Martha's Vineyard, the effects of this disconnect have been far reaching. The mushrooming

threat to the community's water quality unfolds in slow motion as the Island's real estate development sector continues business-as-usual, and homeowners dutifully install Title 5 compliant septic systems under the assumption that this safeguards the environment.

Over the years, VCS has worked to sound the alarm about the nitrogen problem with education initiatives, including two high-profile "Ponds in Peril" workshops. Fortunately, the nitrogen issue is now generally accepted as real and important, as indicated by the fact that every town has now voted to fund the Mass Estuaries Project and commit to its findings.

However, addressing the problem adequately remains a challenge. Explosive growth has left us this legacy, and remediation will be costly. A combination of new nitrogen removal technology, retrofits of such technology into existing septic tanks, municipal sewer system expansion, and increased "flushing" of the ponds are all strategies that will need to be deployed.

### Looking Back

There was no shortage of warnings and admonitions about the imminent crisis. We recently probed the VCS archive to shed light on this chapter. It was a vivid illustration of the sharp imbalance between profit-driven forces in support of development interests versus the conservationists pushing back in defense of environmental protection.

In passing the enabling statute for the MV Commission in 1977, "An Act Further Regulating the Protection of the Land And Waters Of the Island Of Martha's Vineyard," the legislature cited preservation of the Island's unique ecological values as being of statewide interest — an interest they recognized as threatened by inappropriate uses of the land. The Act authorized the MVC to designate special zoning overlay districts — termed districts of critical planning concern (DCPCs) — to ensure that "land usages will not be unduly detrimental."

### The Short-Sighted No-Growthers

Based upon that reasoning, during the winter of 1986, VCS and a cohort of citizens drafted and submitted an extraordinary DCPC nomination. It reflected a sense of urgency that growth was out of control (one building permit was issued per day on average), and that our natural systems, particularly our groundwater and coastal ponds, would suffer the consequences. At that time, the sewage treatment plant in Edgartown was already exceeding its design capacity and no longer effectively removing nitrogen. A plume of contamination beginning under the plant was moving through the groundwater column toward the Great Pond at the rate of several feet per day.

The 1986 DCPC application was bold. We proposed a district consisting of the surface and groundwater of the entire Island. The aim was to draw attention to the incipient contamination crisis, and, optimally, to put the brakes on the runaway train through the moratorium powers granted under the MVC's enabling legislation.

That didn't happen. The negative response was predictable, with opponents labeling the conservationists as "Short-Sighted No-Growthers" and attacking us as anti-jobs and anti-progress. To its credit, the MVC voted to accept the DCPC nomination as offered. During the protracted discussion that followed, the Commissioners struggled with the language of the enabling statute, in particular a requirement that development of a DCPC not result in "undue harm to economic values."

### Compromise

With enabling legislation calling for the creation of DCPCs to ensure that "land usages will not be unduly detrimental" yet without causing "undue harm to economic values," the MV Commission has always had a tough needle to thread, along with a great deal of leeway in interpretation. Over the years, the MVC's tendency toward business- or conservation-friendly decisions has ebbed and flowed; those regular elections for Commissioners are important, indeed.

In this case, the MVC used their power to amend the boundaries of a submitted DCPC. Instead of encompassing the entire Island, including developable land, the DCPC boundaries were limited to the area containing the heart of the drinking water

aquifer: the 5,215-acre State Forest. On the surface, protection of the aquifer appeared to be a noble goal and sensible compromise. Of course, though, this was land already preserved from development. Growth on Martha's Vineyard — and the resulting nitrogen pollution — continued unabated.

*A plume of contamination from the sewage treatment plant in Edgartown was moving through the groundwater column toward the Great Pond at the rate of several feet per day.*

While the amended DCPC remains on the books, regulations implementing its goals were never promulgated, perhaps because as conservation land, the threat level to the State Forest drinking water supply was low. Also, a federal "sole source aquifer" designation provided additional protections.

### Aftermath

In the short term, this amended DCPC designation steered clear of "undue harm" to the economy while protecting the thickest part of the convex lens of fresh water in the center of the Island. As is so often the case, it is only now, three decades later, that the chickens have come home to roost. Today we find ourselves wrestling with some very real economic impacts wrought by nitrogen pollution in our ponds and estuaries.

Was the 1986 DCPC exercise worth the effort? Most definitely. Public awareness was heightened by the water protection campaign, and in the following years a poll conducted by Lou Harris indicated that unchecked development was the number one concern of Islanders. Though modest, some limitations on new construction were eventually voted in at Town Meetings.

### Back to the Future

Today, as the MV Commission develops new rules to address nitrate contamination generated by development, we hope that they, and all the people of our Island community, can step back and look at the bigger picture. Perhaps through careful rulemaking, large monetary investment, and new technology, we can reverse the nitrogen pollution in our coastal ponds. Perhaps, in the process, we accidentally remove the single most important defense against runaway development our Island has had for decades.

It's now time to seriously consider the prospect that slowing the rate of growth on Martha's Vineyard may be beneficial, rather than detrimental, to our economic interests. And, if it's not too radical, it's beyond time to consider the possibility that economic interests need not be paramount.



Edgartown Great Pond, aerial photo by David Welch

# SIX-FOR-SIX!

## “Bring Your Own Bag” Bylaw Goes Island-Wide, Sets Higher Standard for Off-Island Towns

This spring in Oak Bluffs, near the end of a grueling, two-night Annual Town Meeting, loud applause broke out when the “Bring Your Own Bag” bylaw finally came to a vote — and passed easily, with hardly a “nay” to be heard. Congratulations are in order, not just for Oak Bluffs but for all Vineyarders, as this officially completes the effort begun two years ago to make the entire Island plastic bag free.

The bylaw, created by VCS and passed at the 2016 town meetings in Aquinnah, Chilmark, Edgartown, Tisbury, and West Tisbury, is designed to give businesses plenty of time to adapt. This does mean that change will not be visible overnight. However, this is a milestone for which the Island community should be proud — and excited.

That is because, while many towns (and even some countries) have passed plastic bag bans, our BYOB bylaw is one of the strongest measures currently on the books anywhere. It is providing a model for similar measures under development in other Massachusetts towns, and possibly even more important, it now raises the standard for the comprehensive state law that is currently being crafted on Beacon Hill. There is at least as much difference in environmental good between a strong and weak bag ban as there is between a weak one and nothing. In some cases, less stringent bag bans can even do more harm than good, if, for example, they require stores to give out thicker, somewhat reusable plastic bags, but customers throw them away anyway.

Even though the work is far from over, several big changes are already happening. In Edgartown, where the bylaw took effect this January, the Stop & Shop reports using nearly eight times fewer bags this year than they did over the same time period the previous year. Contrary to fears, visiting customers are arriving having packed their reusable bags from home. For those who did forget, many local businesses have designed their own reusable bags that make for beautiful and functional Island souvenirs. Some businesses are offering helpful promotions, such as discounts for shoppers who BYOB, and, this past winter at Rosewater Market, a free reusable bag with lunch purchases. In Oak Bluffs, several businesses including Tony’s Market and Slice of Life enthusiastically joined the BYOB movement before the bylaw even came to a vote. And most encouraging of all, an increasing number of shoppers are bringing their bags not just to the grocery store, but also to other retailers and restaurants.

The convenience of plastic check-out bags, a wonder of chemistry and technology whose low cost has changed the retail

landscape worldwide, is the very thing that has made them a global envi-

ronmental menace requiring legal regulation. At this milestone, looking back on more than two years of work on this process, VCS wants to emphasize more than anything else our immense gratitude to the community of Martha’s Vineyard. It is no small thing to look convenience in the eye and choose against it. For the staff, board, and volunteers on the BYOB working group it has been incredibly moving to attend the town meetings that passed — with resonant applause — the six separate articles that now unite our Island in a new movement to protect our shared environment. Thank you!

## The Long, Winding Road to BYOB

The applause echoing through the auditorium following this spring’s vote was particularly sweet, because the process in Oak Bluffs had been particularly challenging. Last year, the town’s Selectmen initially agreed to place the BYOB bylaw on the warrant for the 2016 Annual Town Meeting warrant; however, they later pulled it from consideration when concerns were raised by a small number of businesses. Acknowledging that plastic shopping bags were indeed a problem, they made a promise that some kind of bylaw would be brought up for a vote within the next year. The extra time was intended to allow businesses and environmental advocates to work together to see if an alternative bylaw could be created that would better satisfy all concerns.

In hopes of finding a compromise, we reconsidered our big-picture purpose for seeking a bag ban. We distilled the core justification down to three criteria: a successful bylaw must 1) reduce plastic litter, 2) address the threat to land and marine wildlife, and 3) alleviate the stress on our “single-stream” recycling system (plastic bags get stuck in sorting machinery and cause costly work stoppages). We researched the ideas presented by the businesses and measured every proposal against these criteria.

Unfortunately, by the deadline for submission of warrant articles for the 2017 Town Meeting the two groups were still no closer to a workable solution. Essentially, the objectives of the two groups were ir-



reconcilable: VCS and the BYOB team were working to end the use of disposable plastic checkout bags, while the core desire of this subset of businesses was to continue to use them. The end result of far too many hours of meetings, phone calls, and emails was a 2017 Town Meeting warrant with two competing bylaws addressing the same issue. One article would be substantively identical to the bylaw passed in the other five towns, while the other would increase the thickness of plastic checkout bags rather than ban them, exempt biodegradable and compostable bags from the bylaw altogether, and allow for businesses to seek hardship waivers indefinitely.

To say this was an unusual situation is putting it lightly. Even the Oak Bluffs’ town counsel was unsure what would happen if both bylaws happened to pass at Town Meeting. With both bylaws being touted as good for the environment, voters were surely confused about what differentiated one from the other — or even why there were two choices in the first place. The moderator had to decide how the process would work, e.g. which article would be voted on first, and what happens to the second if it should pass. Or, what if both pass?

Despite the spirited campaign, the two groups continued talking, right up to the two-night-long Town Meeting. Just minutes before the vote took place, a conversation outside the doors of the auditorium led to an agreement on the second night, bringing both sides together. The BYOB bylaw won the day, with the addition of an optional waiver for up to three years. For the businesses that need it, they will have extra time to adapt, train their customers, and take steps towards compliance. For our shared environment, the end result is a uniform Island-wide standard that will make a meaningful difference for a more sustainable future, and for the wildlife that call our land and water home.

## Next Steps in Waste Reduction

### To Ban, or Not To Ban

Two years ago, when VCS began discussing what would come to be called the BYOB initiative, one of the first questions we posed to ourselves was, “Do we really need to *ban* plastic bags?” While we agreed that curtailing the use of disposable checkout bags was essential — the obvious low-hanging fruit of waste reduction, really — there was very serious consideration of whether banning *anything*, through force of law, was

the right move for our community, morally and practically. Further, beyond right and wrong, was it good politics? What if we could achieve success through education only, rather than taking the matter to

Opposite page, top right: Oak Bluffs kindergartener designs a reusable bag with art teacher Kim O’Connor. Right: As part of a reception to honor the students’ hard work, decorated bags are displayed at the O.B. Library prior to giveaway to the community. Bottom: First graders engage in serious concentration, then show off their creations! (Photos by Samantha Look)

Town Meeting where we could very well lose — both the vote and public support for the initiative.

We based our decision at that time on considerable research and outreach to leaders in other communities that had pursued bag bans. What we learned was that education alone was insufficient to move many people to bring reusable bags beyond those who were already doing so. To significantly reduce plastic bag use **did** require legal regulation. We also learned that once passed, plastic bag restrictions were popular with the public, reusable bags became more common, and the forecasted negative impacts on business never materialized.

Now, back to the present day. In light of the enthusiastic support for the bag ban, what’s next? Why not ban *all* single-use bags in stores? Polystyrene boxes for takeout food? Paper plates and plastic flatware? In contrast to bans on plastic checkout bags, we have not found solid evidence for the success or popularity of other types of legal regulation. Moreover, we’re not convinced a ban is the right thing to do.

### Single-Use Plastic Water Bottles

Take, for example, probably the next most egregious source of needless plastic waste in everyday modern life: the single-use disposable (albeit recyclable) water bottle. To ban them altogether would result in a situation in which the cold case by the cash register no longer offered any healthy option for the thirsty customer who forgot her water bottle. Could we find an alternative plan that addresses the worst sources of waste — the distribution of tiny single-use bottles with school lunch, or the stocking of post-game coolers with dozen of bottles (purchased in huge shrink-wrapped bales) — without negatively impacting public health?

We are thrilled to announce that as of this spring, every Island school but one has a brand-new water bottle refill station. (Charter School is still in the works.) These units dispense cold, filtered water quickly and conveniently, encouraging students to carry their own refillable bottle. At the high school, where the first filling station was installed last fall, nearly every student is now BYOB’ing. Most encouraging, now that



refill stations are in place in Tisbury and Oak Bluffs, both schools have stopped offering disposable water bottles in the cafeteria. Edgartown is phasing them out after this school year, and we are hopeful that the Regional High School will begin to move in this direction. The remaining schools, West Tisbury, Chilmark and Charter, had already stopped distributing disposable water bottles (or had never used them at all). We are hopeful that the schools will act as starting points for seeding these changes out into the community.

### Zero Waste Thinking in Schools

School is not just a place of academic instruction; it's also where a community's values are expressed and shared, and life-long habits are forged. Of course, a school is also a large institution, where a small change in the daily routine can have a big impact. We were very excited when the Oak Bluffs School responded to the water bottle initiative by not just getting rid of disposable bottles in the cafeteria, but also switching from disposable plastic utensils to old-fashioned washable metal.

In an effort to build on these early steps, this spring VCS collaborated with Island Grown Schools and volunteer Moira Silva to put together a "Zero Waste Week" at the West Tisbury School. We based the event on a week-long educational program developed by the National Oceanic and Atmospheric Administration to raise awareness about how land-based trash, in particular single-use plastic items, impact the health of our waters. The week kicked off with a school-wide assembly, and over the course of the week students engaged in a variety of activities including auditing their snack waste and measuring food waste in the cafeteria, thinking about alternatives to disposable containers and crafting reusable ones, and participating in a beach clean-up. Optional at-home activities included biking to school, turning the lights off for an hour at night, and packing lunches in reusable containers.

### Zero Waste Films & Discussions

This spring, VCS hosted a very popular series of films, presentations, and discussions exploring the life of trash — where it really goes once it leaves our curbside or transfer station — and what we can do to reduce the impacts on our environment. Nina Carter Hitchen, a key member on the BYOB



working group who was instrumental in winning passage for the bag ban in her town of Oak Bluffs, conceived of the "Make Less Waste" series as a New Year's Resolution for the Island. The series was launched in January, but feedback was so positive that events continued throughout spring, and we are now working with Nina to create a regular working group to share ideas and grow the feasibility of local Zero Waste options; learn more at Nina's Facebook page, "Plastic Free on MV."

## THE 25<sup>TH</sup> ANNIVERSARY EARTH DAY BEACH CLEAN-UP

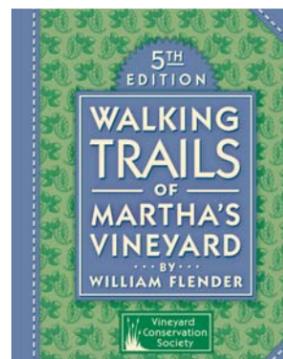
This year on Earth Day, hundreds of volunteers fanned out over our Island to beautify its beaches and protect the ocean — and the wildlife living in, on, and near it — from plastics and other pollution. Thanks to the work of many hands, we were able to collect over two tons of trash from 24 beaches over the course of just two hours! The most common finds were the usual suspects: plastic bags, bottles, and small bits of debris (what those bags and bottles quickly become in the ocean), cans, balloons, and cigarette butts. One plastic item, the 1.5-ounce liquor "nip" was particularly abundant. According to MV Wine and Spirits, who were offering 5 cents for each one collected, 15,000 of the tiny but persistent bottles were found.

This year's after-party featured excellent guest speakers spanning a range of perspectives (including sailor, researcher, activist, writer, and boat-builder!). In a compelling presentation, Athena Aicher and Tyson Bottenus tackled the issue of plastic ocean pollution from many angles. Prior to the main event, second-grader Emma Frisbie read her essay on ways she had found to reduce beach litter in her home state of Rhode Island.

To pull off such a broad-based community event requires a lot of help. A very big "thank you" is due to event sponsors M.V. Savings Bank and the Harbor View Hotel, all of our wonderful volunteer beach leaders, the many generous folks who donated food and drink, Josh and Angela Aronie, Cronig's Market, Dippin' Donuts, Lucky Hank's, Scottish Bakehouse, Sharky's, The Trustees, Tyson Foods, and Vineyard Grocer, and every single person who came out on a gray, rainy day to help protect our Island environment!

## WALKING TRAILS OF M.V. 5<sup>TH</sup> EDITION

The much-anticipated 5<sup>th</sup> edition of William Flender's *Walking Trails of Martha's Vineyard* is here! Look for it in Island shops, including Alley's General Store, Bunch of Grapes, Chilmark Store, Edgartown Bicycles, Edgartown Books, Edgartown Hardware, Menemsha Market, Morning Glory Farm, and the Felix Neck and Polly Hill Arboretum gift shops, or visit our website or drop by our office at the Wakeman Center on Lambert's Cove Road.



# VCS NEWS ROUND-UP

## ANNUAL MEETING

### Featuring "Naked DNA in My Water"

Please join us Tuesday, June 27 at the West Tisbury Library for the Annual Meeting of the VCS Board and Membership. The meeting starts at 5:00 pm with refreshments on the lawn to the right of the main entrance. We are very pleased to announce that this year's meeting will feature a compelling presentation by Rockefeller University's Director of the Program for the Human Environment Jesse Ausubel on an exciting new technique for monitoring aquatic wildlife. The collection and analysis of environmental DNA, a.k.a. eDNA or "naked DNA," has the potential to supplement or even supplant traditional sampling methods, many of which can be time-consuming, expensive, and destructive to the very wildlife we seek to better understand.

## LECTURE: GLOBAL ENVIRONMENTAL THREATS

Please join us at the Polly Hill Arboretum at 5:30 on July 26, when Dr. Eric Chivian, founder and former director of the Center for Health and the Global Environment at Harvard Medical School, presents a talk on recognizing and addressing global environmental threats. Dr. Chivian is the author of *Sustaining Life: How Human Health Depends on Biodiversity*, and the current director of the nonprofit Program for Preserving the Natural World. His lecture will also touch on Lyme and other tick-borne diseases, a topic of great importance to the Island community. Admission to the event is \$5 for VCS or Polly Hill members, \$10 for the general public.

## NATURE AS INSPIRATION

Across four days this Memorial Day weekend, the "Nature as Inspiration" environmental film festival (a collaboration between VCS and the M.V. Film Society) showcased a diversity of feature films and shorts, wonderful guest speakers, a great children's program, and the awards ceremony and opening showing of our high school art contest (see story below).

Thank you to all who helped make the festival a rousing success: Jennifer Smith Turner for her poetry reading; guest speakers John Ubaldo, Ken Marsolais, and Nancy Vick (of *The Bullish Farmer*), Shaul Schwarz and Christina Clusiau (of *Trophy*), Myron Dewey, James Spione, and Josh Fox (of *Awake: A Dream from Standing Rock*), Tanyette Colon, and Alison Rose Levy; local subject experts Jim Athearn, Wes Brighton, Shelley Edmundson, Eric Glasgow, Nina Carter Hitchen, Jefferson Monroe, Marc Rosenbaum, and Charter School students Clancy Conlin, Jared Rivard, Lucy Thompson, and Lily Tilton; and, of course, Richard Paradise and his staff at the MVFS for hosting and organizing the event!

## THE ART OF CONSERVATION: DISCOVERY

For this year's Art of Conservation, our annual high school art contest, students were urged to explore the Island and discover new places, or find new ways of seeing the everyday routine. In an unusual twist, two first prizes were awarded, both for sculptures: David Sweitzer's intricate origami, and Grace Kenney's inspired "Attire," a castoff tire overlaid with a weaving of recycled

fibers. Also, six Special Distinctions (all for photography) were awarded to Pandora Bassett, Cameron Moore, Kayla Oliver, Lexus Pate, Olivia Schroeder, and Emma Searle, along with our "VCS Staff Pick," the photo by Ava Stearns featured on the cover of this newsletter. View all of the art at our website, or stop by Mocha Mott's in Vineyard Haven throughout August to see it in person. First place winners received \$100 cash prizes, all others gift certificates to local business. Congrats!

A hearty "thank you" is due to all those who helped make this year's contest extra special, in particular the dynamic duo of MVRHS photography teacher Chris Baer and local photographer David Welch, who teamed up to offer a unit in Chris' photography classes to explore the contest theme. Students even took a field trip to our home, the Wakeman Center, to see what they could discover among the ponds and bogs of the VCS backyard. Thanks also to this year's excellent judges Mollie Doyle, Ben Scott, and Liz Witham; board members Joan Malkin and Susan Feller for organizing everything; Richard Paradise for hosting our opening show and reception; Kate Hancock and Anne Smith at Featherstone for their great work hanging the show, and Cronig's Market and Mermaid Farm for donating the refreshments!

## ARTIFICIAL TURF ON HOLD, "FIELD FUND" FOR NATURAL GRASS LAUNCHED

One of the more contentious issues to face the Island community over the past year was a proposal to create a centralized sports facility at the Regional High School, including the installation of several artificial turf fields. Support and opposition came from many perspectives, including player safety, concerns about competitive disadvantage, and potential toxicity of the materials. In our role as environmental advocates, VCS gave testimony to the school committee and MV Commission regarding several issues, in particular 1) the traffic impacts and vehicle emissions caused by moving all sports activity from nearby town fields to one central location, and 2) the periodic disposal of a massive plastic carpet (every 8 to 12 years), especially disappointing in light of recent efforts to reduce plastic waste on our Island. Review of the project by the MVC as a Development of Regional Impact (partly due to the collective weight of the opposition) provided time for a community group to put together a strong alternative plan using natural grass.

This May, we received the news that the school committee had officially endorsed the "Vineyarders for Grass Fields" proposal. VCS strongly endorses the new plan, which will upgrade grass playing fields across the Island, many long-suffering due to lack of adequate maintenance. (Thanks here are due to the community group behind the original proposal, "MV@Play," for their efforts to improve playing conditions for our children.)

The Vineyarders for Grass Fields group has already raised substantial funds for the project, and has now established the "Field Fund" through the Permanent Endowment to close the gap. If you would like to contribute, please contact our office and we will put you in touch. Thank you!



Left: West Tisbury School students with their new water bottle filling station. A digital counter keeps track of the total number of disposable bottles saved.  
Top: Lucy Vincent Beach (Photos by Samantha Look)



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*Photo by Cameron Moore, "Sand Meets Water"*

*Front cover photo by Ava Stearns, "The Deep End"*

*Both M.V. Regional High School students took honors in the 2017 Art of Conservation competition*