

Eastham Conservation Commission

555 Old Orchard Road
Eastham, MA 02642
508-240-5971



January 30, 2020

Eastham Select Board
2500 State Highway
Eastham, MA. 02642

Re: Proposed Changes to the Draft Marine Hazards and Plastic Bottle Bylaws

Dear Select Board,

Following feedback from various town officials, the Board of Health and discussion among Commission members, we are proposing the following changes to the Marine Hazards and Plastic Bottle bylaws as they were presented to the Town on the Town web site. As the bylaws were already presented to the public and to business owners, we felt that any further changes should not be made to those documents but should be transmitted to the Select Board for their consideration.

We propose the following:

1. Eliminate the bag fee and allow stores to provide whatever checkout bag they like as long as it is not a single-use plastic bag with handles that is less than 3.5 mils in thickness. There was some confusion over what would constitute a checkout bag. Accordingly, we believe the language should be simplified to make clear that the only bag not permitted is a single use plastic bag with handles that is less than 3.5 mils in thickness and that all other bags are permitted. There were also concerns expressed by the Board of Health and the Health Agent about the safety of using reusable bags for such things as ready to eat food and the likelihood of cross contamination

from reusable bags not cleaned by customers after transporting certain grocery or food items, causing us to believe it is good to make paper bags freely available at the discretion of the retailer.

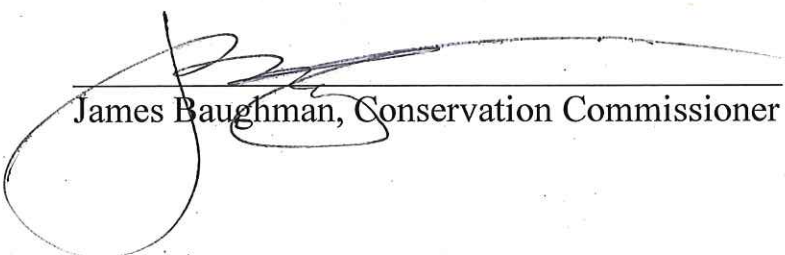
2. It was suggested that we add tailor bags to the list of exempt bags along with drying cleaning and laundry bags. However, we believe this is all quite confusing and would eliminate the references to what bags are permitted, leaving simply the prohibition, again, of single use plastic bags with handles.
3. Update the definition of businesses covered by the bylaw to list all bazaars and non-profits. This should have been done earlier when other edits were made but it was inadvertently missed.
4. Change the size of prohibited plastic water and soft drink bottles from “less than 34 ounces” to “24 ounces or less” in order to better conform to the concept of “single-use” and better reflect the plastic waste found in beach cleanups.
5. Keeping the effective date of November 1, 2020 for both bylaws providing a later date when fines and enforcement would begin. We suggest January 1, 2022. This would give businesses more time to make the necessary transitions with support from the Town and Select Board.
6. Fix the typo. In the polystyrene and bag sections of the bylaw, businesses are now offered the opportunity to turn over any leftover banned items to the Transfer Station for free by November 31, 2020. A typo, as that date does not exist. However, the Select Board may want to consider a significantly later date more in line with the recommended new timing for enforcement.

In addition, yesterday evening we had the privilege of hosting an Information Session concerning these draft proposed bylaws. We would encourage members of the Select Board to watch the video of this event which we expect to be posted sometime tomorrow. Of particular importance would be the following:

- A. Our business owners would face considerable challenges in complying with these bylaws as written, especially portions of the bottle bylaw. It may be wise to separate the plastic nips proposal for separate consideration as action by an individual Town is unlikely to result in a reduction in these items ending up on our beaches.

- B. Whether existing State litter laws are adequately enforced by our Town authorities might be reviewed.
- C. Whether we might gain the cooperation of our state representatives to push for major improvements to the beverage bottle deposit law to greatly broaden the products to which it applies and dramatically increase the amount of the deposit.
- D. Whether we might gain the cooperation of our state representatives to simply ban nips across the state.
- E. Whether we should consider adopting a bylaw banning the placement of recyclables in trash.
- F. Whether we should increase/improve the availability of recycling and trash receptacles in Town beach areas and work with the National Seashore to improve the availability of them on their property.

Sincerely,



James Baughman, Conservation Commissioner



Karen Strauss, Conservation Commissioner