From Planning to Passing: The Amherst, Massachusetts Plastic Bag Ban

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ARTICLE 36. General Petition – General Prohibition
Single Use Plastic Bag Prohibitions

1. Yes
2. No
3. Abstain

Yes = 110  No = 30  Abstain = 12

Majority Required
Pass

Kevin John Hollerbach
Introduction

As a longtime leader in environmental progress and legislation, many Massachusetts municipalities have passed bans on single-use items which are hazardous to wildlife and the planet. Dozens of cities and towns have passed ordinances and bylaws reducing Styrofoam disposables and single-use plastic bags. In a sort-of domino effect, the more municipalities that have passed these regulations, the more seem to follow suit. In 2012, the Town Meeting in Amherst, Massachusetts voted to pass a ban on polystyrene food containers. A ban on plastic bags was considered at this time, but was ultimately not taken-up.

Just across the Connecticut River, Northampton, Massachusetts implemented a ban on single-use plastic bags on January 1st, 2016. The city saw limited resistance by businesses and consumers alike. Seeing that a local ban on plastic bags was possible, I began working on a draft bylaw for the Town of Amherst, and began reaching out to possible stakeholders to help along the way. This “ban the bag” project lasted 5 months, from the ideation phase in January, to the Town Meeting in May.

This case study will detail the background and influences for a plastic bag ban in the town of Amherst, outline the steps taken from planning to passage, and address roadblocks and missteps that may be avoided with the implementation of future bans. It is my hope that this document will not only serve as a guide, but also an inspiration for additional local action in Massachusetts and across the country. No matter what the national political climate or attitude towards environmental issues, local action is always possible, and change is usually easier than you think. Think globally, act locally!
Ideation

As a student and employee for 6 years at the University of Massachusetts, Amherst, I have been consistently working to eliminate plastic waste on our campus. Unfortunately, University power structures (jokingly referred to as “maroon tape” at UMass) can often stifle student influence on wastefulness and sustainability issues. Often promoting itself as a sustainable University, students felt that distributing disposable plastic materials with University branding was inherently duplicitous. Plastic bags, created with fossil fuels, touting the school mascot were distributed from the University store in the Campus Center for many years.

Additionally, UMass struggles with consistently low recycling rates and high contamination rates in the waste streams, especially those coming from the residence halls. Students rely heavily on recycling symbols, which are usually present on thin-film, single-use plastic bags, leading students to believe these bags are recyclable. Plastic bags are usually not recyclable in curbside recycling systems, and are not accepted at the Springfield M.R.F., the recycling center where all of the University’s recycling is sorted. M.R.F. staff report frequent gumming-up of machinery due to high levels of plastic bag contamination in the recycling stream.

Finally, plastic bags were frequently getting caught in trees, seen floating in local waterways, and clogging storm drains in the town. These wayward bags led to damaged aesthetics and even infrastructural issues in the town. All of the issues combined, as well as the carcinogenic health effects of incinerating polyethylene, effects on marine life such as sea turtles, and the plain old wastefulness of these plastic bags, led to enough frustration to warrant concrete action.
The Real Work Begins

Amherst requires that all citizen petitions for general bylaws are submitted before the last week of February. For the bylaw to be ready for submission, many eyes and pens had to make their way through the bylaw before then. In late January and early February, I met with as many potential stakeholders as possible. I first met with the Recycling & Refuse Management Committee in Amherst. The group was incredibly welcoming, and offered to formally endorse the bylaw once it was on the Town Meeting warrant. They even offered me a position on the committee during this same meeting!

Susan Waite was the former Amherst Recycling Coordinator, but when the position was defunded in Amherst, her position moved across the river to Northampton. Waite oversaw the implementation of the Styrofoam ban in Amherst, and later the implementation of the plastic bag ban in Northampton. I met Susan in a local coffee shop along with Jim Pistrang, Amherst Town Moderator, who were able to read through the bylaw to ensure its legality and check for any “scope” issues, meaning that the bylaw did not attempt to stretch beyond its legal power.

I met with many other individuals and groups during this month; Amherst Sustainability Coordinator Stephanie Cicarello, League of Women Voters member Cynthia Brubaker, Public Works Superintendent Guilford Mooring, the Amherst chapter of Mothers Out Front, and more! I also attended the Mass Green Summit, a conference of groups and individuals from across the state that have worked on banning Styrofoam and plastic bags. All of these meetings made the community aware of the petition, and laid the groundwork for universal support and a swift adoption of the bylaw once it made its way to Town Meeting. Gathering signatures at these meetings and at the Amherst Farmer’s market, I had far more than the required 10 signatures to submit the petition to the town clerk by the end of the month.
Preparing the Case

Once approved by the town manager’s office, the plastic bag bylaw was assigned article number 36, making advocacy a little easier. In collaboration with the Recycling and Refuse Management Committee, a handout was written to distribute to Town Meeting members describing the many reasons behind banning the plastic bag in Amherst.

Additionally, I began preparing presentations for the Warrant Review, which is a run-through of each article that will be voted on during Town Meeting. I also prepared for a meeting with the Select Board to ask for their endorsement, and, of course, the Town Meeting presentation itself. I wanted each of these presentations to outline the purpose of the bylaw and the science behind it in laymen’s terms.

I also visited the Springfield MRF during the month of March with my graduate cohort. We were startled by the number of plastic bags blowing around the area, and the amount of bags seen clogged in machinery during the tour. The tour guide bluntly informed us that plastic bags are by far the largest source of contamination in the recycling stream at the MRF.

The Amherst Board of Health also asked to incorporate some changes to the bylaw before Town Meeting, but voted to endorse the bylaw with these changes. The motion for the article on the Town Meeting floor needed to mention these changes, so a motion was written that would be paired with the bylaw and would incorporate these changes before the vote.
In the month of April, shortly before Town Meeting, my focus turned to gaining endorsements for what was now named “Article 36”. I called local businesses such as Atkins Farms Country Market, a prestigious local business, and gained their support for the article. Additionally, I requested endorsements from the Hitchcock Center for the Environment, the Amherst Conservation Commission, the Unitarian Green Sanctuary Committee, Amherst Sustainability Coordinator Stephanie Cicarello, Mothers Out Front, and the League of Women Voters. All of these people and organizations endorsed the plastic bag ban with strong support.

Other endorsements came in without me even knowing! The UMass Student Government Association (SGA) caught wind of the bylaw and endorsed it as well. Additionally, The Humane Society and The Sierra Club heard of the bylaw through the Mass Green Network and wrote a letters of endorsement as well. As would be expected, the Recycling and Refuse Management Committee voted unanimously to endorse the bylaw as well.

I was also asked to attend the Amherst Select Board meeting to speak on the article. The board voted 4-1-1 to endorse it. Alisa Brewer, chair of the select board, voiced some concerns about the article, namely how enforcement would work with the lack of a recycling enforcer position in the town, but Ms. Brewer was quickly rebutted by other members of the board, citing the multiple other cities and towns which had implemented the ban without issue.
The Big Show

After five months of writing, interviews, and attending meetings, the time finally arrived. Town Meeting was to begin on May 2\textsuperscript{nd}, and meet every Monday and Wednesday night until all articles were discussed. Unsure of exactly when Article 36 would reach the floor, I reached out to Moderator Jim Pistrang a few times to ask whether there was any chance of the article reaching a vote that night. Most nights, “highly unlikely” was the response, but on May 25\textsuperscript{th}, it was show-time.

Reconnecting with Susan Waite, I asked to borrow a costume that she had made which we lovingly referred to as the “bag monster”, a suit created from hundreds of plastic bags. I put the suit on, and stood outside of Amherst Middle School, where Town Meeting was taking place. Was it embarrassing? Absolutely, but I engaged with dozens of Town Meeting members as they made their way inside, made a bunch of them smile or laugh, and showed how crazy passionate (or simply crazy) I was about this bylaw.

When the Article was called, Town Meeting member Marcie Sclove made the motion, and I was finally able to give my case for banning plastic bags in the Town of Amherst. A few questions were raised after the presentation, one of which was to ask Alisa Brewer why she decided to vote against endorsing the article. Even with Ms. Brewer’s concerns, Town Meeting passed the article by a 78% margin; 110 yes votes and 30 nos.

The text for the article and all endorsement letters can still be found on the Amherst Town Meeting archive site here, and video of the May 25\textsuperscript{th} Town Meeting is posted on the Amherst Media website here. Article 36 is brought up at 1:55 in the video.
Looking Back & Looking Forward

Many lessons were learned from this project, personal and otherwise. It allowed me to grow as a person and an environmental activist, taught me the value of persistence, and showed me that true, real-world change is possible, and anyone can do it – especially on a local level. There were also some missteps made and lessons learned for future campaigns.

Personally, I hate asking for help, but between the meetings, writing, and interviews, I was left with very little free time for these five months, always selfishly thinking that it was better to manage everything myself. Looking back, there were many groups that were passionate about the campaign that I could have engaged with more consistently, and delegated some of the work to. Similarly, using social media to reach-out to these passionate students and community members would have generated more attention and enthusiasm for the ban.

Another misstep was neglecting to reach out to as many affected businesses as possible before finalizing the language of the bylaw. Some businesses, such as A.J. Hastings in Amherst, were confused by the language of the bylaw, and were granted a one-year deferment on complying with the ban. As manager Sharon Povinelli put it, “The devil is always in the details, or in this case, the specifics of how to get from point A to point B.” While I disagree that the language of the bylaw is unclear, reaching out to businesses and helping to give them options for transitioning away from plastic may have prevented issues like this from arising.

As a final thought, I believe that the link between waste and climate change is a connection that must be drawn much more frequently by scientists, legislators, and sustainability professionals. Although there are many side-effects of plastic bags that pile onto the argument against them, many people (even some policy-makers I have met) fail to see the direct connections between waste and climate. To name just a few of these connections;
Landfills produce methane, incineration of waste is a major contributor to climate change, recycling reduces the need to extract virgin materials which requires much more fossil fuel, and production and transportation of new products and materials is another huge factor related to climate change. Looking back, I would have drawn this connection more concretely during my advocacy for the ban. But looking forward, I believe that waste reduction must be included in dialogue surrounding climate change and environmental policies. Alright… end of rant.

Looking ahead, the Recycling & Refuse Management Committee is considering the viability of a ban on single-use plastic water bottles in the town, which would make Amherst the second community in the State of Massachusetts to ban them. As the future of federal commitment to environmental regulation is extremely hazy, I will continue to look at what positive change I can make at community or state level. As I wrote in a thank you email to everyone who helped with the ban, “However divided we may be on many issues, including issues as small and seemingly insignificant as plastic bags, we should do our best to graciously guide one another towards positive progress. With this in mind, however resigned or pessimistic we may feel, action is always better than inaction.”

Please feel free to contact me for any additional materials or documents,

Or if you have any questions or comments.

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