Summary by Chris Kennedy (Former TTOR Superintendent)

Update on Edgartown Conservation Commission Hearing 4.5.2023

The Conservation Commission finally voted 4-0 to approve continued OSV access on Wasque, Leland and Cape Poge Wildlife Refuge from the Dike Bridge to the Jetties ***until November 30 at which time The Trustees hope to have a full application ready to file for full OSV access from Wasque to the Gut.***

But, what about fishing the Derby on all of Cape Poge, or scalloping at the Elbow in Cape Poge Bay, or clamming, or kite boarding, etc. beyond the Jetties? ***The Con Com’s vote tonight will only provide for OSV access from Wasque to the Jetties until November 30,*** and the Con Com stated their willingness to vote monthly extensions after November 30 until such time as The Trustees have a long-term management plan with approved permits for full OSV access later in the fall or next winter. ***They made it clear there is NO public OSV access from the Jetties to the Gut without a permit to do so. And, there is currently no permit to do so—that will apparently not happen until The Trustees file a new Notice of Intent this coming fall.***

But, how about access beyond the Jetties after Labor Day?That is what is unclear. ***Some of the house owners at Cape Poge have verbally supported fishing and shellfishing access for OSV drivers after Labor Day but there is no written agreement in place, certainly nothing that has a legal stamp on it from the local Conservation Commission nor the Mass Department of Environmental Protection which is a requirement for OSV access. So what does this verbal assurance from the house owners at Cape Poge actually mean? They cannot unilaterally give legal assurances to allow OSV use after Labor Day.*** ***That is a problem for all of us who value public access and the Cape Poge house owners opposition to historic public OSV use should be of concern to us all.*** They have raised some important complaints about the Trustees management but the personal attacks by some of them is regrettable and has no place in public discussions.

So, we have a partial victory tonight for public access using OSV’s from Wasque to the Jetties but ***what is unclear to me is what happens after November 30 and what happens to fishing/shellfishing on Cape Poge this fall?***

***There will be many who voice their opinion, but what was made very apparent to me tonight is that our ability to access these public beaches is in jeopardy and tonight’s victory is anything but permanent.***

Chris Kennedy