

MINUTES
Commission on the Environment
Regular Meeting
July 21, 2021

CALL TO ORDER

Commissioners Present: Cathlin Atchison, Michelle Beritzhoff-Law, Meredith Keet, Margaux Keiser, Peter Wilk

Commissioners Absent: Bryce Ebrahimian

City Staff Present: Steve Jesberg, Danielle Uharriet

Chairperson Wilk called the meeting to order at 6:00 pm

WRITTEN & ORAL COMMUNICATIONS - None

APPROVAL OF MINUTES – March 17, 2021 minutes were approved (Beritzhoff-Law/Keiser)

OTHER BUSINESS

1. Gas Powered Leaf Blower Ban

Staff presented comparison information of emissions, particulate matter and noise levels from gas-powered and electric/battery powered landscape equipment (leaf blowers, lawn mowers, trimmers/edgers/cutters and chainsaws).

Peter Wilk stated the city's ordinance currently regulates leaf blower hours, noise levels, emission and dust control. The EPA regulates emissions for two and four stroke engines. The noise is a greater issue in residential neighborhoods; and noise from older model leaf blowers may be louder than new equipment. A gas-powered leaf-blower ban may not be any better than the current ordinance since electric blowers and other landscape equipment create similar noise, emissions and dust problems; and promoting electric leaf blowers creates an issue with battery recycling.

Cathlin Atchison stated noise is the overall issue. Noise is difficult to enforce, is intrusive and is damaging to the environment. A gas-powered leaf blower ban could create an economic burden for landscapers to replace equipment. There should be a reasonable transition period and an equipment replacement incentive program. Cathlin commented leaf blowers and noise were issues discussed by the city 12-14 years ago.

Meredith Keet concurred with other commissioners that the existing city ordinance addresses the key issues with gas-powered leaf blowers. She supported an incentive strategy to ease the economic burden if there is a required switch to electric leaf blowers.

Margaux Keiser agreed that noise is the primary issue. There are various types of landscape equipment that produce noise greater than gas-powered leaf blowers. The current ordinance regulates leaf-blower hours, but enforcement is difficult. A gas-powered leaf blower ban could be viewed similarly as new regulations to eliminate gas appliances in new construction.

Michelle Beritzhoff-Law commented the information provided by Peter Wilk and staff emphasizes the fact that noise, emissions, dust, and sediment issues are all associated with various types of landscape equipment not just gas-powered leaf blowers. Consistency in regulating landscape equipment would be a more balanced policy approach. Michelle suggested seeking community feedback before proceeding with a ban. Additionally, a plan for enforcement of an ordinance is key to the success of a ban. An issue with the ban in Los Gatos is the lack of enforcement.

Peter Wilk proposed the Commission send the City Council an executive summary of the issues identified by the Commission, include all the research information presented, and let the City Council decide how, and if they want to elevate the issue of banning gas-powered leaf blowers.

Margaux Keiser supported an executive summary. She was interested surveying the community's opinion about leaf blowers.

Motion to send the City Council an executive summary of gas-powered leaf blowers and landscape equipment, with no specific recommendation. (Atchison/Keiser) Vote: 5-0

2. Rispin Park Riparian Restoration

Michelle Beritzhoff-Law inquired about the possibility of a cross commission collective effort. The Arts & Cultural Commission receives funds from permits to be invested in the community, perhaps tie art with the natural habitat.

Peter Wilk inquired about \$350,000 grant for Rispin improvements, and availability of funds in the Community Tree/Forest Management fund previously used for Peery Park riparian work.

Steve Jesberg commented the Rispin Park Plan is proceeding with funding from various city funds and an anticipated grant. The park plan boundary does not include the riparian areas. The Art & Cultural funds citywide art projects, not riparian restoration work. Steve clarified the \$350,00 grant funded the ADA compliant pathways for Rispin Park. The Community Tree funds are reserved for required tree replanting in the Beach & Village Parking Lot. Once Rispin Park is developed other improvements can be made to the surrounding riparian areas.

The COE concurred to postpone riparian restoration work until the park plan improvements are complete.

ITEMS FOR FUTURE AGENDAS

Michelle Beritzhoff-Law stated progress on the informational brochure for food businesses/restaurants has been delayed. She has researched the city's fines in comparison to other agencies but would like COE input on the direction of information to provide businesses. She recommended inform and assist with resources before enforcing fines. She observed enforcement during COVID-19 has been minimal.

Peter Wilk recalled enforcement is done on a complaint basis only.

Margaux Keiser commented Village businesses comply with the ordinance, but corporations such as McDonalds do not.

Cathlin Atchison suggested an informed community will tend to support businesses that follow the ordinance. Education is key to the success of the ordinance enforcement.

Meredith Keet stated there is no infrastructure, no facility to support the process of a compostable takeout container from restaurant to home. Container waste goes into the trash, not recycling.

Steve Jesberg stated there has been no relaxation of rules during COVID-19; enforcement has not changed and continues as complaint basis only.

Peter Wilk stated this is not agenda and should be scheduled for the next meeting. He suggested the COE meet every other month to ensure a quorum. The August 18th meeting was canceled; next regular meeting will be September 15, 2021.

ADJOURNMENT to September 15, 2021

Approved at the meeting of September 15, 2021

Danielle Uharriet

Danielle Uharriet
Environmental Projects Manager