

ENVIRONMENTAL ADVISORY COMMISSION MEMORANDUM

To: Pasadena City Councilmembers
Pasadena Mayor Terry Tornek

CC: Pasadena City Manager Steve Mermell
Pasadena City Clerk Mark Jomsky

From: Environmental Advisory Commission

Date: March 12, 2019

Subject: Lawn and Garden Equipment Policy Review

As set forth in the Pasadena Municipal Code, the primary function of the Environmental Advisory Commission (EAC) is to provide policy advice to the City Council regarding environmental stewardship and urban sustainability in accordance with the City's adopted Environmental Charter, the City's adopted Climate Action Plan, and other related environmental policies adopted by the City Council. It is under this charge that EAC is writing to recommend that the City initiate a process to review its policy of lawn and garden equipment and consider the merits of further regulation.

The EAC recommends that the City initiate a formal process to evaluate the full range of issues, and consider policy actions, related to lawn and garden equipment, including a focus on, but not limited to, leaf blowers.

Below you will find a timeline of events related to City and EAC actions regarding this topic.

- In 1987, the Pasadena leaf blower regulation ordinance was adopted, for stated reasons, including: "leaf blowers result in the creation of dust, noxious hydrocarbons and intrusive noise" affecting the "quiet character" of Pasadena's residential neighborhoods.
- In 2002, amendments were adopted to the City ordinance that required a lower decibel level and to require gardeners to display a noise test sticker obtainable from the City's Public Health Department (the Department). The staff report for this amendment noted that, at that time, 20 California cities had some level of ban on leaf blowers.
- In 2002, the "Noise Element" of the City's General Plan states that the City shall, at least every 5 years, "review and update the Noise Restriction ordinance to ensure

effectiveness in controlling noise sources" including from leaf blowers, and shall consider amending the Municipal Code "if problems arise in the future."

- In 2009, the City Council considered a staff report concerning a proposal to offer financial incentives to gardeners to use low-emissions, "low noise" blowers. The staff report said there were about 100 licensed gardeners operating in the City, and that most public complaints about blowers were traced to unlicensed operators using uncertified equipment that had not been noise-tested by the Department. The Department's inspection program was reported to cost approximately \$6,000 per year to license 100 gardeners, and the cost of a license was \$191.
- In January 2012, the City's General Plan Update's "Open Space and Conservation Element" called for the creation of a Greenhouse Gas (GHG) Inventory and a Climate Action Plan (CAP), and called for consolidation of responsibility "within one commission" to promote the conservation and "environmental health policies of this document."
- In December 2013, the City's Public Safety Committee agendaized the topic of "leaf blower ordinance follow-up" when public comments were received. However, the City Manager informed City Council that staff was not going to address the topic.
- In the fall of 2015, the City embarked on a process to develop a CAP to reduce community-wide GHG emissions and combat climate change.
- On Oct. 29, 2016, staff presented to the EAC a "summary and status update on the progress of the creation of the City's CAP to reduce GHG emissions in the City in accord with State law.
- In March 2018, the City Council adopted a 101-page CAP to serve as a "roadmap to reduce Pasadena's carbon footprint."
- In October 2018, the EAC adopted its annual Work Plan for the period July 1, 2018 to June 30, 2019. The Work Plan provides that the EAC shall "review and provide input" on the implementation of the CAP.
- The CAP specifically includes references to the City's current leaf blower ordinance of 2009, at page 56. Under the section "T-7: Lawn and Garden Equipment," the CAP includes a Long-term Implementation Strategy: "Provide incentive payments for residents and local gardeners who replace lawn and garden equipment (e.g., lawn mowers, leaf-blowers) with low-emissions alternatives, including but not limited to battery or electric-operated," with primary responsibility for this to be given to the Public Works and Water & Power Departments. Replacement of City-owned gardening equipment with low-emissions alternatives is a second proposed Implementation Action. Both Implementation Actions are paired with the following Performance Indicators: by 2020 & by 2035, measures to "reduce emissions from lawn and garden equipment." We note that, in contrast to transportation, buildings,

solid waste, and water- the CAP did not quantify GHG emissions from lawn and garden equipment.

- In December 2018, the EAC began receiving unsolicited public comments (and observed an uptick of posts on local social media) concerning gas-powered (including "two-stroke" and "four-stroke") leaf blowers. The concerns included noise, dust and airborne particulates/air quality-related health effects, and GHG emissions. This expression of public comment and social media posts continued in January and February 2019.
- Highlights of public comments received by EAC include:
 - In 2011, Edmunds, a major car reviewer, compared the 2-stroke-engine leaf blower with a Ford F-150 Raptor pickup truck, finding that a half-hour of yard work produced the same amount of hydrocarbon emissions as a 3,887-mile truck drive.
 - Numerous complaints with respect to the noise throughout the day, but particularly in the early morning.
 - A 2-stroke leaf blower generates in 1 hour of use as much carbon pollution as a sedan driven for 7,000 miles, according to the California Air Quality Management District study of leaf blowers commissioned by the Legislature in 2000. The same study found that there were over 600,000 2-stroke leaf blowers in use in the state, and state-wide they contributed between 2%-9% of all GHG emissions.
 - Approximately 70 towns/cities in California currently have some level of controls up to a full ban on gas leaf blowers, including Los Angeles, South Pasadena, Santa Barbara, Malibu, Beverly Hills, and West Hollywood. The effectiveness and enforcement of these restrictions has not been researched by the EAC.
 - It has been reported that, including the recent Los Angeles ban on use within 500 feet of residences, about 13% of Californians live in cities that have some level of restriction, including bans, on the use of gas leaf blowers.
- In February 2019, an EAC commissioner sent a Public Record Act (PRA) request to the City, seeking information pertaining to gas leaf blowers and the City's current licensing, code enforcement, and rebate programs. Written responses were received from the following departments: City Manager, Public Health, Public Works, and Code Enforcement. **A summary of the PRA responses is attached.** Highlights of information received in response to the PRA request include:
 - The City does not keep records reflecting how many applications were submitted in the past 3 years for rebates/incentives for replacing gas leaf blowers with low-emissions leaf blowers.

- The City does not maintain records showing the number of licenses issued in any of the past 3 years to landscaping businesses seeking to operate within City limits.
- No records are available that would show the number of warnings or citations issued in any of the past 3 years to non-licensed operators of landscape equipment.
- The City owns or leases 17 gas-powered leaf blowers and 12 electric leaf blowers. The Public Health Department has 82 full-time employees, 2 of whom are assigned to tasks related to leaf blowers.
- The Department's leaf blower inspection program (licensing/inspection of equipment) uses approximately 60 hours of City staff time per year; revenue collected annually (\$10,000) is sufficient to cover the entire cost of the program.
- Last year, 2018, the city received 103 noise complaints of which 79 (77%) were leaf blower related.

Recommendation

The EAC recommends that the City initiate a formal process to evaluate the full range of issues, and consider policy actions, related to lawn and garden equipment, including a focus on, but not limited to, leaf blowers.

Thank you for your attention to this matter.

Respectfully submitted,

The Environmental Advisory Commission
March 12, 2019