

Mayor Tracey Furman

**Council Member Darin Bartram
Council Member Nate Engle**



**Council Member Conor Crimmins
Council Member Ann Lichter**

Sent to: council.publichearing@montgomerycountymd.gov; Councilmember.Albornoz@montgomerycountymd.gov

The Honorable Gabe Albornoz,
Council President
Council Office Building
100 Maryland Avenue
Rockville, MD 20850

Re: Comments from the Town of Kensington Council Members on County Leaf Blower Ban,
Bill 18-22, Noise Control – Leaf Removal Equipment

Dear Council President Albornoz and Councilmembers:

Please consider the following comments, which were developed by the Town of Kensington in response to the County's proposed Bill 18-22. The comments primarily concern the impact the bill will have on municipal leaf collection activities. Thank you in advance for your consideration.

1. The County proposal should only ban leaf blower/vacuum equipment for which there is an available electric-powered replacement. The Town of Kensington currently uses a leaf vacuum which is towed behind a truck to remove leaves in the fall. The proposal should clarify that this equipment is not subject to the ban.
2. We urge the County to perform an assessment of the trade-offs of a gas-powered leaf equipment ban. First, if it is the case that battery-powered equipment is less effective (particularly in later years when the batteries have aged), will leaf collection take crews longer to perform? This could mean that while noise levels are decreased, the duration of noise could be significantly longer. The County should not assume that the equipment will be equally effective. Second, the County should assess whether battery-powered equipment generates lower noise levels, and also whether commercial landscaping crews are adequately protected from gas- and/or electric-powered equipment with existing worker protection regulations regarding hearing protection or protection from exhaust and volatile organic compounds (VOC's). Third, although the proposed ban appears to be a noise-based regulation that eases enforcement, we urge the County to assess whether there will be a health benefit, particularly to workers who are exposed to the equipment on an extended basis. Finally, we request that the County analyze the total cost of ownership and operation of electric equipment vs. gas-powered equipment over the standard equipment lifecycle so that the public and business

community can better assess the trade-offs between cost, effectiveness, and projected noise and health benefits. This will also help the public to better assess the adequacy of the proposed rebate program.

3. The burden on municipal governments which perform curbside leaf removal in the fall would be magnified by a county ban on gas-powered leaf blowers. The Town of Kensington Public Works crew currently uses a coordinated team of staff which uses gas-powered leaf blowers to direct leaves towards its large leaf vacuum, which sends the leaves into the bed of a truck. Table 2 (DGS entry) anticipates a doubling of costs associated with leaf collection from this proposal. Given the lower CFM and MPH ratings of battery-powered leaf blowers, the Town of Kensington is concerned about the additional burden placed on its personnel during the high demand of fall leaf collection. In addition, leaves placed at the curb often become wet, either from being gathered while wet or because of rainfall between when they are put at the curb and when they are collected by the Town. The use of battery-powered leaf equipment under these circumstances is less effective.
4. The Town of Chevy Chase permits the use of gas-powered leaf equipment during the period of October 15th - December 31st. (Town of Chevy Chase, Municipal Code, Sec. 16-1). The Town of Kensington believes that the daytime use of gas-powered leaf equipment during this peak leaf collection period is warranted. It is unclear how many residents will avail themselves of this option, given the potential need to maintain two different pieces of leaf equipment, but it should be their choice.
5. Regarding the Racial Equity and Social Justice Impact of this proposal, the Town notes that landscaping employs a disproportionately high number of Latinos and other workers of color. Depending on the County's assessment of the effectiveness of battery powered leaf equipment versus gas-powered equipment, the County might conclude that its proposal could cause workers to switch to manual collection (e.g., rakes), or simply taking more time to complete the same task. At the same time, and to the extent that hearing protection does not already provide adequate worker safety, the use of battery-powered leaf equipment may cause a lower impact on hearing and lower inhalation of harmful fumes. We urge the County to undertake a robust assessment of the impact that this proposal will have, from a racial equity and social justice perspective.
6. Similar to the County DEP's proposal to ban herbicides, we urge the County to add an educational component to this proposal. We believe that there are opportunities to reduce the amount of leaves and other yard waste collected and taken to the Transfer Station through programs promoting backyard composting. We urge the County to promote the reduction of leaf collection in addition to changing the permissible methods of leaf collection.

Sincerely,

Mayor Tracey Furman and the Kensington Town Council