

To: Atherton Town Council

February 14, 2022

Re: Proposed Leaf Blower Ordinance

The proposed ordinance on Leaf Blowers and other “power garden equipment” calendared for the Town Council’s February 16, 2022 meeting suffers from the same defects as the proposal rejected a year ago. Once again, it appears, the Environment Programs Committee and/or the City Council Ad Hoc Subcommittee would impose unsupported and/or impracticable regulations on Atherton households.

The Town’s web-based survey shows only 54% of respondents in favor of these proposals. This is hardly a ringing endorsement of the Environment Committee’s efforts to impose its will on the way we conduct our household affairs.

A year ago, I pointed out to the Committee and the Council the sloppy “research” that was used to support the then-proposed ban on two-stroke engine garden equipment. Neither the Committee nor the Council has provided any new rationale for the 2022 regulations, so I have to assume that they are relying on the disproved canards contained in the November 2020 Staff Report. <https://www.ci.atherton.ca.us/DocumentCenter/View/8355/ITEM-15>

Since the Committee has not ever addressed the substance of my comments, I’ll summarize them here:

a. Two Stroke engine leaf blowers. The proponents of this regulation would outlaw the use of two-stroke engine leaf blowers.<sup>1</sup> But they give no current data about pollution or noise from two-stroke engines, which in many respects put to shame the four-stroke blowers featured in the 2020 staff report. A five-minute search of the Home Depot website shows the Echo “low noise handheld” 2-cycle leaf blower. [https://www.homedepot.com/p/ECHO-191-MPH-354-CFM-25-4-cc-Gas-2-Stroke-Cycle-Low-Noise-Handheld-Leaf-Blower-PB-255LN/204200939?source=shoppingads&locale=en-US&mtc=Shopping-B-F Brand-G-Multi-NA-Multi-NA-Feed-PLA-NA-NA-Catchall PLA&cm\\_mmc=Shopping-B-F Brand-G-Multi-NA-Multi-NA-Feed-PLA-NA-NA-Catchall PLA-71700000014585962-58700001236285396-92700010802552445&qclid=Cj0KCQiA9P\\_BRC0ARIsAEZ6irgkDg4ZyFaP5cI1VnF-vU\\_DwW2Xjk2z3XqAzj-09ySp50wk9DQj77kaAvBXEALw\\_wcB&qclsrc=aw.ds](https://www.homedepot.com/p/ECHO-191-MPH-354-CFM-25-4-cc-Gas-2-Stroke-Cycle-Low-Noise-Handheld-Leaf-Blower-PB-255LN/204200939?source=shoppingads&locale=en-US&mtc=Shopping-B-F Brand-G-Multi-NA-Multi-NA-Feed-PLA-NA-NA-Catchall PLA&cm_mmc=Shopping-B-F Brand-G-Multi-NA-Multi-NA-Feed-PLA-NA-NA-Catchall PLA-71700000014585962-58700001236285396-92700010802552445&qclid=Cj0KCQiA9P_BRC0ARIsAEZ6irgkDg4ZyFaP5cI1VnF-vU_DwW2Xjk2z3XqAzj-09ySp50wk9DQj77kaAvBXEALw_wcB&qclsrc=aw.ds) Among other features, this blower is quieter than all of the 4-cycle blowers shown in the Staff Report’s 2020 comparison, and at or within 4 dB of the electric blowers. I would think that a thorough apples-to-apples table would show more such options available from other manufacturers.

b. Misleading/inapplicable citations to outside research. Many of the footnotes in the 2020 report either do not support the EPC’s position or are simply inapplicable to a regulation being adopted in 2023. For example,

(i) Footnote 4 is cited as proof that two-stroke leaf blowers pollute. In fact, the report described in that footnote is a 2009 Italian study of two-stroke engines in European mopeds, small motorcycles and three-wheel vehicles. The authors of that study focused not on two-stroke engines as the environmental issue, but on the vehicle owners’ frequent tampering with pollution-control devices. There is no mention of leaf blowers in the study.

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<sup>1</sup> Not even the State goes that far, as it will ban the sale of them after 2023, but will not restrict the continued use of those already purchased.

(ii) Footnote 5 is a study of leaf blowers done over two decades ago (2000) by the California Air Resources Board ("CARB"). It is critical of 2-stroke engines. However, it's also 22 years old, and I find it hard to believe that there haven't been more recent studies of advanced two-stroke engines. Interestingly, on p. 4, the 2020 Staff Report states that the 2000 CARB document provides a comparison of a leaf blower's emissions with those of a 2016 Toyota Camry. Either the state researchers could see into the future, or our own staff is a bit confused.

Is this 2000 study the latest available? At a minimum, the council and residents should be given a side-by-side comparison of all three alternatives: two-stroke, four-stroke and electric, with data on cost, weight, pollution, etc. for each of them.

c. Use by residents. One reason two-stroke engine leaf blowers are popular with weekend gardeners is that they're compact and light, and can be used for quick clean-up jobs. Both my wife and I can lift our two-stroke Echo blower. I doubt that either of us would want to lift (or strap on our backs) the 20+ pound 4-stroke machines or the equally heavy battery-pack arrangements that the report highlights.

The proposed 2022 ordinance is an indirect attack on the character of our neighborhood and our canopy of trees. We live in Maple Manor, where many households have fostered and maintained heritage trees since its establishment in the late 1940s. On our lot alone, we have, and have kept healthy, over 15 heritage Oaks and a giant Sequoia, as well as 40-50 years old pines, maples, liquid ambers, pear, olive and other species. All of these grow and shed leaves or needles in quantity – on the streets we adjoin as well as on our lot. It's not inexpensive to maintain these trees, but they're central to what makes special our and our neighbors' properties.

According to the Arbor Day Foundation, canopies of trees improve our air quality, generate oxygen, lower surface and air temperatures, absorb CO2 in huge quantities, and release oxygen in exchange. See <https://www.arborday.org/trees/treefacts/>. By creating new restrictions on the use of garden equipment to manage leaves and other detritus generated by trees, the proposed ordinance could have the perverse effect of reducing maintenance of existing trees in Atherton and discouraging the planting of new ones. The appellation of "Tree City USA" that the Town enjoys would, in our view, be put in danger by this misguided regulatory proposal. Is this the legacy the Environmental Programs Committee and the Council wish to pursue?

The proponents of this regulation point to the adoption of a similar law by Portola Valley. With respect, we are not Portola Valley. The vast majority of Atherton homes are on flat land, nestled under the canopies of our wonderful trees, many with manicured lawns and other landscaped features. Our lots are larger, less "wild," and require more maintenance. In adopting an ordinance such as that proposed, the Town needs to balance the relative weakness, inefficiencies and limited duration of electric blowers against the features of gasoline-powered ones. I'd submit that homeowners and gardeners are in the best position to make that choice.

Finally, this provision would virtually force households to hire professional gardening outfits. During my decades of working at Silicon Valley companies, my wife and I did our yard work, including mowing and blowing, on weekends, when I could be home and the kids weren't in school. The proposed ordinance would do away with this common family practice, and further "professionalize" the experience of owning a home in Atherton.

We respectfully urge that the Council reject this regulatory overreach.

Smith McKeithen