

Minutes
Environment and Energy Committee Meeting
Tuesday, May 28, 2019
Chevy Chase Village Hall

1. A meeting of the Village Environment and Energy Committee was convened at 7:35 p.m. on Tuesday, May 28, at the Village Hall. Marea Hatzios (Committee Co-Chair), chaired the meetings. Those in attendance were Marilyn Bracken (Co-Chair), Betsy Stephens, Ralph Stephens, Ollie Davidson, Gary Crockett (Board Contact), and Ellen Sands (Village Liaison). The meeting followed the Agenda which had been distributed in advance to the Committee (see Annex 1).

2. Marilyn Bracken briefed the group on recent ruling the Maryland Special Court of Appeals to re-instate the Montgomery County Healthy Lawn Act, which effectively bans the use of “cosmetic” (non-essential) herbicides on public greens and private lawns. The law, which originally passed the Montgomery County Council in 2015, had been contested by the pesticide industry, lawncare companies and a trade association in a law suit brought before the County Circuit Court in 2017, arguing that that the law was inconsistent with the authority of the State to regulate pesticides. The County Circuit Court sided with industry, but this ruling was appealed by Montgomery County before the State Special Court of Appeals, and after nearly a year of deliberations, the Special Appeal’s Court struck down the Lower Court’s decision to invalidate the law. Montgomery County is now in the process of updating the law to reflect the position of the Special Court of Appeals on aspects of the law that had come into question, and is charting a course for the law’s implementation and enforcement. Marilyn noted that this latest ruling could still be appealed by industry but it is unlikely to succeed. The E&E Committee will continue to brief the Board and Village residents on what implementation of the law will look like in practice and how/when it will come into force. An article summarizing the above has been prepared for the June *Crier*.

3. Members of the E&E Committee then reviewed key elements of a proposal drafted by an *ad hoc* Inter-neighborhood Environment Committee (comprised of the Town of Chevy Chase, Somerset, and Chevy Chase Village) formed to discuss issues of common concern, collaborate on possible solutions, and share good practices. In response to growing concerns over the health impacts and disruption posed by noisy and polluting lawncare equipment, the Committee took up the issue of gas-powered leaf blowers as a first order concern. The proposal urges Town Councils in neighboring Chevy Chase communities to adopt regulations in line with the District of Columbia’s recent law to phase out gas-powered leaf blowers by January 2022. The proposal has gone through several iterations in response to comments from Committee members, taking into account specific needs/concerns of the communities represented. (Chevy Chase Village is represented by Jonathan Lyons, Marilyn Bracken and Marea Hatzios). An early draft of the proposal was shared with the members of the Environment and Energy

Committee, and with Shana Davis-Cook, Ellen Sands and Gary Crockett. A final draft is expected in the next couple of days which the Town of Chevy Chase intends to submit to its Town Council for their consideration. It is expected that the other neighborhoods on the Committee will take similar action. To this end, a summary of the key actions being proposed was reviewed by the E&E Committee to determine which of these could be endorsed for inclusion in a similar proposal to the Village Board. These are listed below. Alongside each is an indication of the sense of the meeting as to whether to include or not in a submission to the Village Board for its consideration and eventual resolution at some future time.

1. Enact a ban effective Jan 1, 2022 **[Yes]**
2. Expand quiet hours **[No]**
3. Educate residents with articles, handouts, social media, workshops, demonstrations, etc. **[Yes, see for example a demo on clean, green maintenance technology co-sponsored by Quiet Communities :**
<https://www.youtube.com/watch?v=znOJQmNMffY&feature=youtu.be>
4. Educate landscaping companies **[Yes]**
5. Maintain a list of quiet companies **[Yes – define “quiet companies”]**
6. Help the Village contract with quiet companies. **[Yes—draft Contract Specs for Village Landscaping Contract favoring green equipment and practices]**
7. Explore group purchase discounts for quiet equipment and services for residents **[Yes]**
8. Coordinate actions with other jurisdictions **[Yes]**
9. Enforce the rules **[Yes –enlist Village Police to enforce prohibitions on gas-powered leaf blowers if approved by the Board; encouraging residents and landscape operators to be more conscious of noise levels in line with regulations and neighborhood wellbeing]**

It was agreed that the Co-Chairs would draft a memo to the Board outlining the proposed actions in a phased approach, with the ultimate objective of achieving a ban on gas-powered leaf blowers similar to that adopted by the DC Government, effective January 2022. It was understood that this would involve significant education and outreach to residents and landscape contractors on the merits of the proposals, followed by a Town Hall Meeting with residents to assess their views prior to the Board’s making a final decision.

4. The Chair provided an update on the status of Neighborhood Sun’s Panorama Community Solar Project in Prince George’s County. According to Neighborhood Sun’s CEO, the project is not yet on line, pending procurement of a part required by Pepco for safe operation of the solar project. The project is expected to go live in early June.
5. In line with the above topics and other priority themes, suggestions for speakers for the Sustainable Living Lecture Series were discussed. These include:
 - a panel of resource people from the NGO “Quiet Communities,” based in Lincoln, MA (<https://www.quietcommunities.org>), and their DC affiliate “Quiet Clean DC” (<https://www.quietcleandc.com>), responsible for helping DC get the public support needed to ban gas-powered leaf blowers
 - a representative from the Montgomery County Department of Environmental Protection or an NGO to explain implications of the Healthy Lawn Act for

residents, what pesticides are banned, what exceptions may be granted and how the law will be implemented.

6. In other business, Ollie Davidson raised the issue of revisiting the Village's Waste Management Contract when it is up for renewal, to identify other contractors who may provide greener options for waste pick-up and processing more in line with the County's practices, i.e., dual stream. It was agreed that a subcommittee of Ollie, Ellen Sands and Gary would convene to discuss the current weaknesses of the Village's waste management/recycling operation and how to revise it to avoid contamination of the recycling stream, reduce what goes into landfill, encourage composting and achieve a higher level of environmental practice overall.
7. Betsy Stephens raised the issue of expanding the Committee's membership and how best to achieve that. It was agreed that, apart from inviting new residents in the Village to consider serving on the Committee, we would also include a note in the Friday Blast and in the Chevy Chase List Serve asking for new members.
8. The meeting was adjourned at 8:50 p.m.

Respectfully submitted by Marea Hatzios, May 29, 2019.