

MULTNOMAH COUNTY

FY 2024 Budget Work Session Follow Up

Sustainability

May 9, 2023



Question 1: Leaf Blowers

Commissioner Meieran (District 1): What is our overarching plan for leaf blowers, how does our work intersect with the City of Portland, especially given the Portland Clean Energy Fund?

Response: Cities in Multnomah County are in the best position to regulate leaf blowers.

Activists cite three primary reasons for restricting the use and/or sale of gas powered leaf blowers: air toxics emissions, greenhouse gas emissions, and noise. Gas powered leaf blowers use two stroke engines where gas and oil are mixed and simultaneously combusted in the engine. This mixture results in high emissions of air pollutants relative to the size of the engine and typical duration of use. The resulting emissions are harmful to human health. The use of fossil fuels also results in the release of greenhouse gasses and aerosols like carbon dioxide and particulate matter. Finally, gas powered leaf blowers are loud and the noise can damage the hearing of operators and people nearby; particularly with repeated exposure. Electric powered alternatives obviate most of the issues associated with gas powered leaf blowers.

While there is compelling evidence for the occupational and public health impacts of gas powered leaf blowers, the County's regulatory authority is limited. The US Clean Air Act prohibits states and local jurisdictions from setting non-road small engine emission standards, which are set by the EPA. Jurisdictions that have restricted the use, or have banned the sale of gas powered leaf blowers have relied on different authority that avoids regulating emissions directly. Restrictions on use have relied on local "police powers" and cited noise as the primary rationale for restricting the use of gas powered leaf blowers.

While Multnomah County could follow the path laid out by other jurisdictions, most problematic leaf blower use is concentrated in urban areas, where Multnomah County home rule authority comes into conflict with incorporated cities home rule authority. The County could potentially utilize “public health authority” to restrict the use of gas powered leaf blowers throughout the County. The rationale for doing so would be based on the noise impacts, but the County would first need to establish the public health case, which is difficult given the prevalence of noise sources other than leaf blowers in an urban environment. In addition, the County does not have a noise curtailment program currently, and would need to add staff capacity to create code compliance function to educate the public and enforce the ban.

Cities are in the best position to create restrictions. The City of Portland, for example, already has a noise ordinance and compliance officer. Cities also have clear authority to act and templates from other cities, such as Oakland and Seattle, to follow.

The Office of Sustainability is working to more fully understand the County’s scope of authority, and develop options that could be implemented by the County. In addition, staff to staff contact with the City of Portland is underway to hopefully encourage action at the municipal level.

Question 2: Cook Plaza Resilience Evaluation

Commissioner Meieran (District 1): How much is proposed being invested for the Cook Plaza resilience work? Was this evaluated, understood and factored into the decision to acquire the property prior to acquisition?

Response: The Joint Office of Homeless Services (JOHS) purchased Cook Plaza for use as a homeless services center. The planning for its exact use is still underway by JOHS. The evaluation of the site for consideration as a Resilience Hub was a task that was added after the purchase at the request of the Office of Sustainability and District 4. The Office of Sustainability allocated \$94,000 of FY 2023 funds to conduct a feasibility study that will provide the needed information to develop a funding strategy, such as a project narrative describing the scope of construction work; a conceptual construction cost

estimate and project budget; and an architectural rendering of the project, highlighting the resiliency features.

The Office of Sustainability is utilizing Carleton Hart Architects to conduct the feasibility study, the same architecture firm JOHS selected to do the design for Cook Plaza. The feasibility study will consider key resilience elements such as enhanced seismic stabilization, solar panels and battery storage (microgrid), rainwater harvesting for potable use, and other features that would enhance the ability of the facility to protect health, life, and safety, during and after a disaster. The County workgroup supporting the feasibility study includes representatives from JOHS, Facilities and Property Management, the Office of Sustainability, Emergency Management and District 4 staff.

Question 3: CROPS

Commissioner Meieran (District 1): For the CROPS program, what specifically is being invested in and what specific outcomes are we seeking to achieve through the program that do not rely on census data that is only available once every five years?

Response: The investment is specifically investing in the physical infrastructure of the site. This includes an access road, a barn with electrical service, a wash-pack station to clean and package food, fencing, irrigation, and associated design and permitting costs. The outcome is to increase the number of black and african immigrant farmers in Multnomah County by contracting with a culturally specific farm operator who will use the site as an incubator farm. The farm operator will provide training, guidance, and access to shared equipment and expertise.

Question 4: CEI Hub

Commissioner Meieran (District 1): Is there a plan to invest in creating a risk bond program for the CEI Hub now that we understand it is legally feasible?

Response: An evaluation of this policy by the Green Energy Institute was completed to understand any federal or state preemptions. This analysis is being evaluated by the County Attorney. Pending that review options will be presented to the Chair for consideration.