



RESOLUTION NO. 131-2020
OF THE BOARD OF DIRECTORS OF THE EL DORADO COUNTY
AIR QUALITY MANAGEMENT DISTRICT

**RESOLUTION AMENDING EL DORADO COUNTY
AIR QUALITY MANAGEMENT DISTRICT RULE 215 – ARCHITECTURAL COATINGS**

WHEREAS, California Health and Safety (“CA H&S) Code Section 40001 authorizes El Dorado County Air Quality Management District (EDCAQMD) to adopt and enforce Rules and Regulations to achieve and maintain ambient air quality standards within the District; and

WHEREAS, CA H&S Code Section 40702 requires a district to adopt rules and regulations and do such acts as may be necessary or proper to execute the powers and duties granted; and

WHEREAS, CA H&S Code Section 40727 provides that before adopting, amending, or repealing a rule or regulation, a district board shall make findings of necessity, authority, clarity, consistency, nonduplication, and reference, based upon information developed pursuant to section 40727.2, information in the rulemaking record maintained pursuant to section 40728, and relevant information presented at the public hearing required by section 40725; and

WHEREAS, CA H&S Code Section 40727.2 requires the EDCAQMD to prepare a written analysis of existing federal air pollution control requirements applicable to the same source type being regulated whenever it adopts, or amends a rule, and EDCAQMD’s comparative analysis of the proposed amended Rule 215 is included in the staff report; and

WHEREAS, the purpose of amending Rule 215 - Architectural Coatings is to improve clarity and ensure consistency with the 2007 Suggested Control Measure (SCM) adopted by the California Air Resources Board (CARB); and

NOW, THEREFORE, BE IT RESOLVED that the EDCAQMD Board of Directors hereby finds, authorizes, directs, and declares as follows:

1. The Board of Directors has considered the staff report prepared in this matter attached hereto and incorporated herein by reference.
2. The Board of Directors makes the following findings pursuant to CA H&S Code Section 40727:
 - a. Necessity: Information in the District's rulemaking record maintained pursuant to CA H&S Code Section 40727 demonstrates a need for amending Rule 215;
 - b. Authority: EDCAQMD has authority to adopt, amend, or repeal rules and regulations pursuant to CA H&S Code Sections 40000, 40001, 40701, 40702, 40716;
 - c. Clarity: The proposed amended Rule 215 is written so that the meaning can be easily understood by the persons directly affected by it;
 - d. Consistency: The proposed amended Rule 215 is in harmony with and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations;
 - e. Nonduplication: The proposed amended Rule 215 does not impose the same requirements as any existing state or federal regulations; and
 - f. Reference: By adopting the proposed amended Rule 215, the District meets the requirements of CA H&S Code Section 40702 and the Federal Clean Air Act of 1990 .
3. The Board of Directors finds that the EDCAQMD has complied with the procedural requirements set forth in Chapters 6 and 6.5 of Part 3 of Division 26 of the Health and Safety Code.
4. The Board of Directors finds that the proposed amendments to Rule 215 are exempt pursuant to CEQA Guideline 15308 as an action taken by a regulatory agency as authorized by state law to assure the maintenance, restoration, or enhancement of the environment where the regulatory process involves procedures for protection of the environment.
5. The Board of Directors hereby adopts the amended Rule 215 Architectural Coatings Provisions, as set forth in Exhibit 1 (Attachment A of the Staff Report), attached hereto and incorporated herein by reference. The amendments are effective on August 25, 2020 .

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 25th day of August, 2020, by the following vote of said Board:

Attest:
Kim Dawson
Clerk of the Board of Supervisors

By:  _____
Deputy CI

Ayes: Hidahl, Frentzen, Veerkamp, Parlin, Novasel
Noes: None
Absent: None

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Brian K. Veerkamp
Chairman, Board of Supervisors