

Notice of Decision

Project Title: Proposed Updates to the Suggested Control Measure for Architectural Coatings (SCH# 1999062093)

Project Location: Statewide

Public Meeting Date: May 28, 2020; Agenda Item # 20-5-2

Project Description: The updates to the Suggested Control Measure (SCM) (referred to as the 2020 SCM) would add to the 2019 version of the Architectural Coatings SCM a new coating category for Photovoltaic Coatings and establish a limit on the volatile organic content of the coatings.

This notice is to advise that the California Air Resources Board (CARB or Board), as the lead agency, approved the 2020 SCM on May 28, 2020.

The 2020 SCM serves as a model rule, and would not be implemented by CARB, nor would it be implemented by any districts unless they choose to do so. As such, the 2020 SCM is not a "project" subject to CEQA, as its approval by CARB would not commit any jurisdiction to implementing it. Furthermore, even if the 2020 SCM were considered a "project" (which it is not), it would likely qualify for one or more CEQA exemptions, including the Class 8 exemption for actions by regulatory agencies for protection of the environment (See 14 CCR § 15308) and the "general rule" or "common sense" exemption (See 14 CCR 15061(b)(3)). However, as CARB did in the 2000 Program Environmental Impact Report (PEIR) (available at <https://ww2.arb.ca.gov/sites/default/files/2020-04/CARB%202000%20PEIR.pdf>), CARB has chosen to analyze the SCM under CEQA in an effort to facilitate use of the SCM by local air districts, essentially providing the districts with a turn-key model rule that has been fully analyzed under CEQA.

The Board found that, on the basis of the whole record, the proposed SCM will not result in any new significant adverse impacts on the environment, or any substantial increase to any previously-identified environmental impacts, in light of the 2000 PEIR. To minimize potential emission increases from Photovoltaic Coatings and to ensure less than significant impacts to air quality, the 2020 SCM includes a volume limit in gallons per day (gallon/day) to prevent the use of Photovoltaic Coating from exceeding CEQA thresholds for each air district. As such, the Board adopted an environmental analysis (EA) equivalent to an addendum, in accordance with the requirements of its certified regulatory program under CEQA. (Cal. Code Regs., tit. 14, §15251, subd, (d).). The EA, included in the Staff Report prepared for the 2020 SCM, concluded implementation of the 2020 SCM would not result in any significant adverse environmental impacts not previously analyzed in the 2000 PEIR.

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No written comments received that raised any significant environmental issues pertaining to the 2020 SCM.

The EA included in the Staff Report, and all other related documents, are available for public inspection on the CARB program webpage at: <https://ww2.arb.ca.gov/our-work/programs/coatings/architectural-coatings/suggested-control-measure>.

Certified: *Nicole Haven*
CARB CEQA Unit

Date: June 5, 2020