

**MARCH JOINT POWERS AUTHORITY
ENVIRONMENTAL JUSTICE ELEMENT**

**CEQA Class 7/Class 8
Categorical Exemption Report**

Lead Agency:

MARCH JOINT POWERS AUTHORITY

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April 2024

JN 198958

This document is designed for double-sided printing to conserve natural resources.



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CATEGORICAL EXEMPTION REPORT

This report serves as the technical documentation for an environmental analysis performed by Michael Baker International (Michael Baker) for the March Joint Powers Authority Environmental Justice Element in the March Joint Powers Authority General Plan. The intent of the analysis is to document whether the project is eligible for a California Environmental Quality Act (CEQA) Class 7 Categorical Exemption (CE) for Actions By Regulatory Agencies for Protection of Natural Resources (CEQA Guidelines Section 15307) and Class 8 CE for Actions by Regulatory Agencies for Protection of the Environment (CEQA Guidelines Section 15308). The report includes an introduction, project description, and evaluation of the project's consistency with the requirements for a Class 7 and Class 8 CE.

I. INTRODUCTION

CEQA Guidelines Section 15307 states that a Class 7 CE consists of actions taken by regulatory agencies as authorized by State law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment. Examples include but are not limited to wildlife preservation activities of the State Department of Fish and Game. Construction activities are not included in this exemption.

CEQA Guidelines Section 15308 states that a Class 8 CE consists of actions taken by regulatory agencies, as authorized by State or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption.

II. PROJECT LOCATION AND SETTING

Project Location

The March Joint Powers Authority (JPA) Planning Area is located in an unincorporated area in the northwest portion of Riverside County. It is bordered by City of Moreno Valley to the northeast, the City of Riverside to the northwest, unincorporated areas of Riverside County to the east and west, and the City of Perris to the south. Interstate 215 (I-215) bisects the planning area in a north-south orientation; refer to [Figure 1, March JPA Planning Area Boundaries](#).

The approximately 4,500-acre March JPA Planning Area was formerly part of March Air Force Base (AFB). This area was declared surplus as part of the 1996 Base Realignment and Closure Commission (BRAC) process and transferred to March JPA for reuse, redevelopment and/or joint use with the United States Air Force Reserve. March AFB realigned from an active duty to an air reserve base and was renamed March Air Reserve Base (ARB) during the realignment process.



March JPA is a public entity created for the purpose of addressing the use, reuse, and joint use of the surplus portions of the former MarchAFB. March JPA is comprised of four individual public entities: the City of Perris, the City of Moreno Valley, the City of Riverside, and the County of Riverside.

Existing Site Conditions

The March JPA Planning Area includes a mix of existing land uses including but not limited to residential uses, commercial, business park, industrial, and park/recreation/open space uses, aviation, historical district, cemetery, public facilities, mixed use, various specific plan areas, and conservation easements.

The March JPA Planning Area is within a disadvantaged community (Census Tract 6065046700) as identified by CalEnviroScreen 4.0.¹ CalEnviroScreen is a screening methodology that can be used to help identify California communities that are disproportionately burdened by multiple sources of pollution. The California Environmental Protection Agency defines a disadvantaged community as “a low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation” (Government Code Section 65302).

III. PROJECT DESCRIPTION

In California, State law requires every local jurisdiction to prepare and adopt a comprehensive and long-range general plan to guide its growth and physical development. The General Plan provides a consistent framework for land use and development decisions in accordance with an established community vision. In 2016, the State of California passed Senate Bill 1000 (SB 1000), also known as the Planning for Healthy Communities Act, requiring cities and counties to address environmental justice within their general plans.

In compliance with SB 1000, the March JPA Environmental Justice Element (herein the “project”) is a policy document for the March JPA General Plan. The project will reflect the agency’s commitment to reducing environmental burdens and ensuring all residents have the opportunity to access public facilities and services that improve their quality of life. The March JPA Environmental Justice Element would be applicable within the existing March JPA Planning Area. Other nearby land, including the adjacent March Air Reserve Base and Riverside National Cemetery, would not be subject to the provisions of the Environmental Justice Element.

The project would include objectives and policies consistent with Government Code Section 65302(h). Objectives and policies of the project include:

¹ California Office of Environmental Health Hazard Assessment, *CalEnviroScreen 4.0*, <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40>, Accessed January 30, 2024.

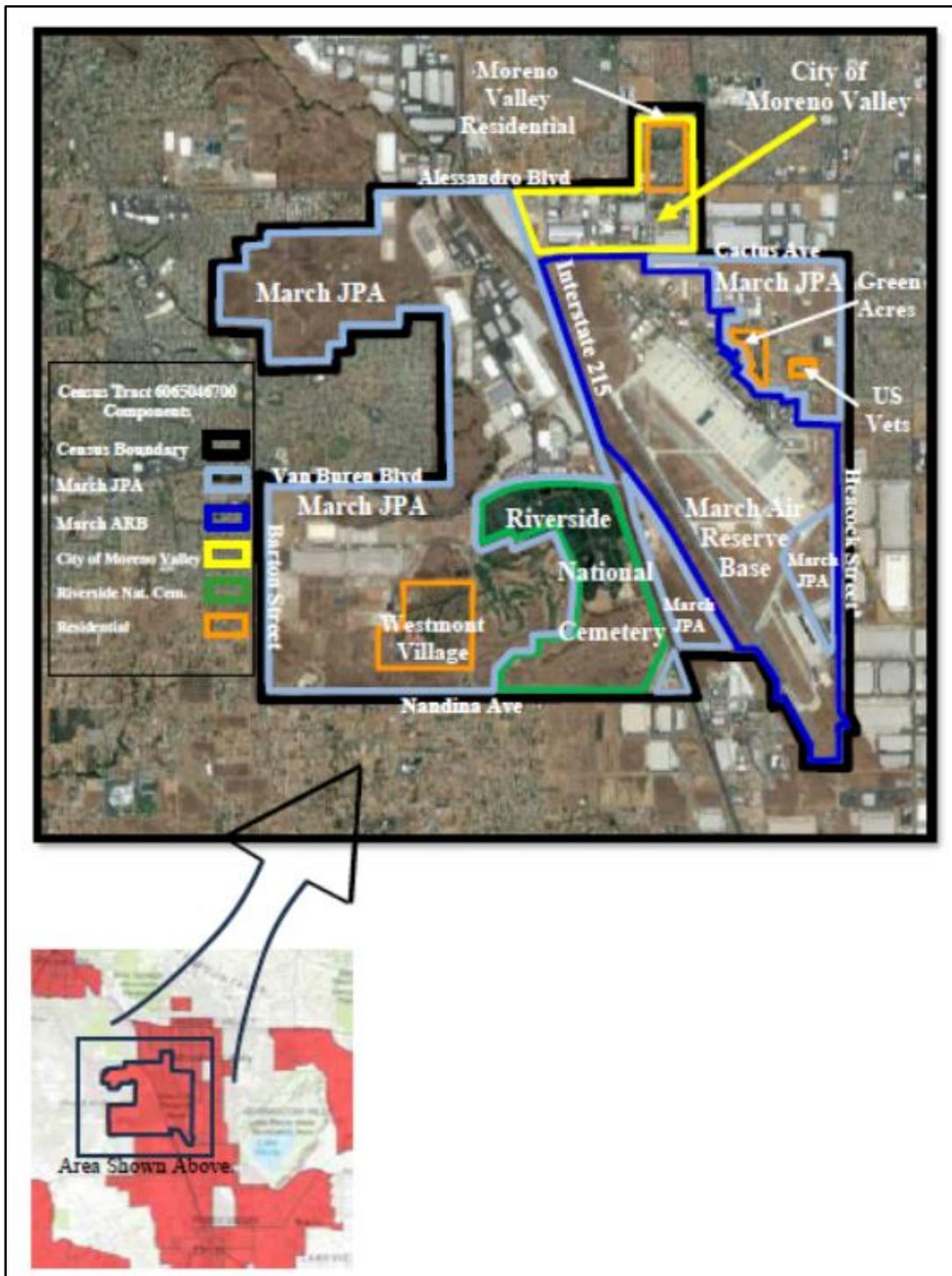


- Promote Civic Engagement: This category includes policies that promote civic engagement in the decision-making process.
- Health Risk Reduction: This category includes policies that work towards reducing unique and compounded health risks.
- Public Facilities and Health Care Facilities: This category includes policies that prioritize improvements and programs for public facilities.
- Other Environmental Justice Objectives: This category includes policies that do not fall under one of the above sections (e.g., stormwater capture, solar and renewable energy, and implementation of climate action plans).



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Figure 1
March JPA Planning Area Boundaries



Source: General Plan of the March Joint Powers Authority, Environmental Justice Element, Exhibit 7-1, *March JPA Planning Area Boundaries Within Census Tract 6065046700*.



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IV. CLASS 7 EXEMPTION CRITERIA ANALYSIS

CEQA Guidelines Section 15307 states that a Class 7 CE consists of actions taken by regulatory agencies as authorized by State law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment. Examples include but are not limited to wildlife preservation activities of the State Department of Fish and Game. Construction activities are not included in this exemption.

The goal of the Environmental Justice Element is to ensure the consideration of environmental justice policies to improve public health and the environment within the March JPA Planning Area. Implementation of the proposed Environmental Justice Element policies that are financial, economic, advisory, and advocacy-related in nature would not result in direct or indirect physical impacts to the environment. The implementation of policies that could have the potential to have a direct or indirect physical impact would still ultimately have the goal of maintaining, restoring, or enhancing the natural resources (i.e., implement development of bicycle and pedestrian facilities to reduce dependency on fossil fuel-based transportation [Policy HC 16.11], and landscape by planting of trees on a community basis that removes pollutants from the air, provides shade and decreases the negative impacts of extreme heat on the community [Policy HC 16.17]). As such, this analysis evaluates whether the project is consistent with a Class 7 Categorical Exemption.

The project involves the incorporation of an Environmental Justice Element to the March JPA General Plan consistent with SB 1000 requirements. As discussed in Section III, Project Description, the project has been designed with goals/objectives in the following categories: civic engagement, health risk reduction, public facilities and healthcare facilities, and other environmental justice objectives. The project includes policies to reduce environmental burdens and ensure all residents have the opportunity to access public facilities and services that improve their quality of life. For example, proposed Environmental Justice Policy HC 17.6 would require the development of a program in collaboration with local farmers that that would provide affordable access to fruits and vegetables for the local community, as well as identify and establish the location of businesses with healthy food options to be located in close proximity to transit nodes and other active transportation system links. Additionally, proposed Environmental Justice Policy 18.9 would require new developments to consider a variety of concepts including energy efficient design, water conservation techniques, pedestrian connectivity, conservation of open spaces, drought tolerant landscaping, and other concepts intended to reduce degradation and visually enhance the character of the surrounding area. As a result, the project would ensure the protection and enhancement of the environment, particularly in regard to disadvantaged communities. Additionally, the project includes the following policies that are intended to reduce significant impacts on the environment:

HC 15.4 Coordinate with environmental groups, Native American Tribal Governments, the business community, special interests, county and non-county agencies and the general public in the development of programs that effectively reduce greenhouse gas emissions and air pollution, and as applicable pursuant to the Community Air Protection Program (AB617).



- HC 15.5 Develop a sustainability plan for siting hazardous waste and hazardous materials facilities, including solid waste and recycling facilities, through the local planning processes utilizing public outreach and engagement pursuant to policies HC 15.1, HC 15.2 and HC 15.3. The plan shall increase waste reduction measures, address illegal dumping, and increase access and affordability to composting and recycling facilities.
- HC 16.7 Evaluate public and private facilities for health hazards or major sources of contamination and identify and implement alternatives for removal of contamination.
- HC 16.8 Evaluate creating a cap or threshold on the number of pollution sources within EJ communities and make recommendations thereon.
- HC 16.9 Explore the feasibility of creating a partnership with the South Coast Air Quality Management District (SCAQMD) to establish a mitigation program to reduce the impact of air pollution as well as assist with the implementation of air quality programs.
- HC 16.11 Implement development of bicycle and pedestrian facilities to reduce dependency on fossil fuel-based transportation and pursue funding to implement mobility plans and projects.
- HC 16.12 Plan and implement complete streets which include sidewalks, greenbelts, and trails to facilitate use by pedestrians and bicyclists where such facilities are well separated from parallel or cross through traffic to ensure pedestrian and cyclist safety and rehabilitate/expand existing to achieve same or similar design features.
- HC 16.16 Apply pollution control measures such as landscaping, vegetation, and green zones (in cooperation with the SCAQMD) and other materials, which trap particulate matter or control air pollution.
- HC 16.17 Landscape by planting of trees on a community basis that removes pollutants from the air, provides shade and decreases the negative impacts of extreme heat on the community.
- HC 16.18 Promote new development that emphasizes job creation and reduction in vehicle miles traveled in job-poor areas and does not otherwise contribute to onsite emissions in order to improve air quality.
- HC 16.19 Promote reduction of vehicle miles traveled (VMT) by encouraging expanded multi-modal facilities, linkages between such facilities, and services that provide transportation alternatives, such as transit, bicycle and pedestrian modes.



- HC 16.20 Facilitate an increase in transit options. In particular, coordinate with adjacent municipalities, transit providers and regional transportation planning agencies in the development of mutual policies and funding mechanisms to increase the use of alternative transportation modes. All new development should contribute and invest in increasing access to public transit and multimodal active transportation infrastructure.
- HC 16.21 Require the creation of programs that increase carpooling and public transit use, decrease trips and commute times, and increase use of alternative-fuel vehicles and facilities supporting the use of such vehicles including charging stations.
- HC 16.22 Discourage industrial uses which use large quantities of water in manufacturing or cooling processes that result in subsequent effluent discharges and encourage agricultural businesses to limit and reduce the production and use of pesticides and chemical fertilizers to the maximum extent possible thereby minimizing contaminated infiltration and runoff, including runoff to the Salton Sea and other standing bodies of water.
- HC 16.23 Discourage industrial and agricultural uses which produce significant quantities of toxic emissions into the air, soil, and groundwater to prevent the contamination of these physical environments.
- HC 16.24 Ensure compatibility between industrial development and agricultural uses and adjacent land uses. To achieve compatibility, industrial development and agricultural uses will be required to include criteria addressing noise, land, traffic and greenhouse gas emissions to avoid or minimize creating adverse conditions for adjacent communities.
- HC 22.1 Increase coordination and collaboration with the implementation of existing climate action plans such as the county’s 2020 Climate Action Plan update, resilience action plans, mobility plans and AB 617 plans, as may be amended.
- HC 22.2 Develop a stormwater capture system in areas that do not have the appropriate curb and gutter infrastructure.
- HC 22.3 Work with community residents to identify a pathway for community solar projects and other renewable energy projects that do not harm the natural habitat, resources, and environment of the community.

The policies above would reduce significant adverse air quality, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, and transportation effects to the environment. The project would be consistent with Class 7 CE requirements in this regard.



V. CLASS 8 EXEMPTION CRITERIA ANALYSIS

CEQA Guidelines Section 15308 states that a Class 8 CE consists of actions taken by regulatory agencies, as authorized by State or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption.

The goal of the Environmental Justice Element is to ensure the consideration of environmental justice policies to improve public health and the environment within the March JPA Planning Area. Implementation of the proposed Environmental Justice Policies that are financial, economic, advisory, and advocacy-related in nature would not result in direct or indirect physical impacts to the environment. The implementation of policies that could have the potential to have a direct or indirect physical impact would still have the ultimate goal of restoring, enhancing, and protecting the environment (i.e., implement development of bicycle and pedestrian facilities to reduce dependency on fossil fuel-based transportation [Policy HC 16.11], and landscape by planting of trees on a community basis that removes pollutants from the air, provides shade and decreases the negative impacts of extreme heat on the community [Policy HC 16.17]. As such, this analysis evaluates whether the project is consistent with a Class 8 Exemption.

The project involves the addition of an Environmental Justice Element to the March JPA General Plan consistent with SB 1000 requirements. As discussed in Section III, the project has been designed with goals/objectives in the following categories: civic engagement, health risk reduction, public facilities and healthcare facilities, and other environmental justice objectives. The project includes policies to reduce environmental burdens and ensure all residents have the opportunity to access public facilities and services that improve their quality of life. For example, proposed Environmental Justice Policy HC 20.7 would require that essential facilities, such as health and safety facilities, be adequately sited, improved and staffed to serve affected communities. Additionally, Environmental Justice Policy HC 16.3 would provide assistance to the community in seeking funding for community initiated clean air projects, including the installation of on-site air monitoring equipment in areas of high exposure to air contaminants. The policies in the Environmental Justice Element would reduce significant adverse air quality, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, and transportation effects to the environment. The project would be consistent with Class 8 CE requirements in this regard.



VI. CONSIDERATIONS OF EXCEPTIONS TO THE USE OF A CATEGORICAL EXEMPTION

CEQA Guidelines Section 15300.2 identifies the following exceptions to the use of a categorical exemption:

- a) *Location*. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located—a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.
- b) *Cumulative Impact*. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.
- c) *Significant Effect*. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- d) *Scenic Highways*. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including, but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.
- e) *Hazardous Waste Sites*. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- f) *Historical Resources*. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

As evaluated below, none of these exceptions apply to the proposed project. Therefore, the lead agency (March Joint Powers Authority) is not precluded from categorically exempting the proposed project from CEQA.

CRITERION (A) *Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located—a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

Criterion A does not apply to the project since the project qualifies for a Class 7 and Class 8 CE, not a Class 3, 4, 5, 6, or 11 CE. Accordingly, this exception has no application here.



CRITERION (B) *All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

The project involves the addition of an Environmental Justice Element to the General Plan. The March JPA has not successively approved any prior projects of this type in the same place and, as such, no cumulative impacts would occur and this exception has no application here.

CRITERION (C) *A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

The project involves the addition of an Environmental Justice Element to the General Plan. This exception applies only when *both* unusual circumstances and a significant impact as a result of those unusual circumstances are shown. The March JPA considers the second prong of this test only if it first finds that some circumstance of the project is unusual. This is a factual inquiry under which the March JPA weighs the evidence relating to environmental impacts together with other relevant evidence to decide if the circumstances presented by the proposed Environmental Justice Element are unusual.

Here, the Environmental Justice Element does not involve circumstances that are unusual for projects found to by the March JPA to be exempt from CEQA, nor is there substantial evidence of a fair argument that the policies in the proposed Environmental Justice Element, whose goal is expressly to reduce significant adverse air quality, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, and transportation effects to the environment, would, instead, have a significant impact on the environment. (See e.g. *Citizens for Env't'l Responsibility v. State of Cal. ex rel 14th Dist. Agric. Ass'n* (2015) 242 Cal.App.4th 555, 573: proposed event at county fairground did not differ significantly in nature and scope from past events at that fairground, and there was no evidence showing conditions were unusual in comparison with other fairgrounds.) As such, this exception has no application here.

CRITERION (D) *A categorical exemption shall not be used for a project which may result in damage to scenic resources, including, but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.*

The project involves the addition of an Environmental Justice Element to the March JPA General Plan. There are no officially designated State scenic highways in the March JPA Planning Area, nor are there any eligible State scenic highways,² as such, this exception has no application here.

² Caltrans, *California State Scenic Highway System Map*, <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>, accessed January 30, 2024.



CRITERION (E) *A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*

The March JPA does not include any sites on any list compiled pursuant to Section 65962.5 of the Government Code³ and, as such, this exception has no application here.

Further, as a matter of information, the project includes the following Environmental Justice Policies to address hazardous waste and materials:

HC 15.5 Develop a sustainability plan for siting hazardous waste and hazardous materials facilities, including solid waste and recycling facilities, through the local planning processes utilizing public outreach and engagement pursuant to policies HC 15.1, HC 15.2 and HC 15.3. The plan shall increase waste reduction measures, address illegal dumping, and increase access and affordability to composting and recycling facilities.

HC 16.26 Enforce the land use policies and siting criteria related to hazardous materials and wastes through continued implementation of the programs identified in the County of Riverside Hazardous Waste Management Plan including the following:

- a. Ensure March JPA businesses comply with federal, state, and local laws pertaining to the management of hazardous wastes and materials including all Certified Unified Program Agency (CUPA) programs.
- b. Require and promote the programs, practices, and recommendations contained in the Riverside County Hazardous Waste Management Plan, giving the highest waste management priority to the reduction of hazardous waste at its source.

No impact would occur in this regard.

CRITERION (F) *A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

The project involves the addition of an Environmental Justice Element to the General Plan. There are historical, archaeological, and tribal cultural resources within the March JPA. However, for the following reasons, none of the policies in the proposed Environmental Justice Element could have a direct or indirect substantial adverse impacts on these resources. First, the proposed Environmental Justice Element policies that are financial, economic advisory, or advocacy-related in nature would not have a direct or indirect physical impact on a historical resource. Second, the implementation of policies that could have the potential to have a direct or indirect physical impact would not result in a substantial adverse change to a historical resource because future projects would be evaluated against

³ California Environmental Protection Agency, *Cortese List Data Resources*, <https://calepa.ca.gov/sitecleanup/corteselist/>, accessed March 20, 2024.



existing General Plan policies in place to protect historical resources. It is March JPA's policy to implement the approved Cultural Resources Management Plan prepared by the U.S. Air Force (Policy RM 7.1), preserve the Historic District and sites or structures through reuse (Policy RM 7.2 and 7.3), and require development proposals on or near historic to prepare cultural resources studies that include measures to avoid destruction or significant resources (Policy RM 7.5). Several other policies pertaining to the protection of historical resources are identified in the March JPA General Plan Resources Management Element.

Furthermore, the March JPA's Senate Bill (SB) 18 (Government Code Section 65352.3) consultation process for the proposed Environmental Justice Element confirms that even those policies that might have a direct or indirect physical impact would not result in a substantial adverse change to a historical resource. Specifically, March JPA initiated SB 18 consultation with tribes/groups listed on the California NAHC's official SB 18 contact list for amendment of its General Plan or any Specific Plan. March JPA sent notification of the proposed Environmental Justice Element to the General Plan to all California Native American tribal representatives on file with the NAHC as being traditionally or culturally affiliated with the geographic area on November 14, 2023. On November 28, 2023, March JPA received a request for consultation from the Pechanga Band of Luiseño Indians, who requested minor amendments to Policies HC 15.2 and HC 15.4 of the proposed Environmental Justice Element with regard to tribal cultural resources. Documents related to SB 18 consultation are on file with March JPA. The March JPA proposes to make these changes, and with these changes, the March JPA's SB 18 consultation has concluded as of April 10, 2024.

Accordingly, the exception has no application here, and no impact would occur in this regard.

VII. CONCLUSION

Based on this analysis, the proposed Environmental Justice Element to the March JPA General Plan meets all criteria for a Class 7 and Class 8 Categorical Exemption pursuant to CEQA Guidelines Section 15307 and 15308. Further, none of the exceptions enumerated under CEQA Guidelines Section 15300.2 apply to the proposed project. Therefore, the lead agency (March Joint Powers Authority) is not precluded from categorically exempting the proposed project from CEQA.



VIII. REFERENCES

California Code, Government Code, Section 65302.

California Environmental Protection Agency, Cortese List Data Resources, <https://calepa.ca.gov/sitecleanup/corteselist/>, accessed March 20, 2024.

California Office of Environmental Health Hazard Assessment, *CalEnviroScreen 4.0*, <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40>, accessed January 30, 2024.

Caltrans, *California State Scenic Highway System Map*, <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>, accessed January 30, 2024.

March Joint Powers Authority, *Draft Environmental Justice Element to the March Joint Powers Authority General Plan*, November 2023.

March Joint Powers Authority, *General Plan of the March Joint Powers Authority*, adopted 1997.

March Joint Powers Authority, *General Plan Land Use Map*, [General-Plan-Land-Use-Map_2023.pdf \(marchjpa.com\)](#), accessed March 15, 2024.

March Joint Powers Authority, *Zoning Map*, April 2023.



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