

Date: June 27, 2025
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Site: Newland Simpson Road Project
Subject: Reduced Project Site Plan – Consistency with Newland Simpson Road Project EIR (SCH No. 2023120462)

This memorandum addresses the site plan changes for the Newland Simpson Road Project and the new site plan’s consistency with the Newland Simpson Road Project Environmental Impact Report (SCH No. 2023120462), which was circulated for public comment between May 17, 2024 and July 1, 2024. As discussed within this memorandum, the reduction in proposed square footage and acreage in the new site plan would not result in a substantial increase in the severity of a previously identified environmental impact that would not be mitigated, or any of the other circumstances requiring recirculation as described in CEQA Guidelines Section 15088.5. No new significant environmental impact would result from the Project or from a new mitigation measure proposed to be implemented; there is no substantial increase in the severity of an environmental impact; no feasible project alternative or mitigation measure considerably different from others previously analyzed would lessen the environmental impacts of the proposed Project and the Applicant refuses to adopt it; and the EIR is not fundamentally inadequate and conclusory in nature.

Newland Simpson Road Project EIR Summary

The Newland Simpson Road Project Environmental Impact Report (EIR) analyzed the construction and operation of two new warehouse buildings totaling approximately 1,192,418 square feet (SF) on a 74.88 gross (71.11 net) acre site. As analyzed in the EIR, Building 1 would be developed with an 883,080 SF speculative high-cube warehouse building including 838,926 SF of warehouse space, 44,154 SF of office space, and 144 dock-high doors with an FAR of 0.47. Building 2 would be developed with a 309,338 SF speculative high-cube warehouse building including 293,871 SF of warehouse space, 15,467 SF of office space, and 50 dock-high doors with an FAR of 0.39. The Project would also include an 8.90-acre ancillary trailer parking lot with 160 truck trailer parking stalls in the easternmost lot across Warren Road.

The previously proposed site plan is referred to herein as the “Previous Project”.

The EIR found that the following topic areas would have “no impact” or would be “less than significant”:

- Aesthetics
- Conflict with a Williamson Act or Agricultural Zoning
- Conflict with Forestry Resources
- Regional Operational Air Quality Emissions
- Localized Construction & Operational Air Quality Emissions and Health Risk
- Odors

- Riparian Habitat
- Conflict with biological ordinances
- Historical Resources
- Energy
- Geology & Soils
- Hazards & Hazardous Materials
- Hydrology & Water Quality
- On-site construction and operational noise
- Vibration
- Population & Housing
- Public Services
- Recreation
- Circulation (plans, design, emergency access)
- Utilities & Service Systems
- Wildfire

The EIR found that the following topic areas would be “less than significant with mitigation incorporated”:

- Conflict with Air Quality Management Plan
- Regional Construction Air Quality Emissions
- Sensitive species
- Nesting birds
- Conflict with the MSHCP
- Archaeological Resources
- Human Remains
- Paleontological Resources
- Tribal Cultural Resources

The EIR found that the following topic areas would be “significant and unavoidable”:

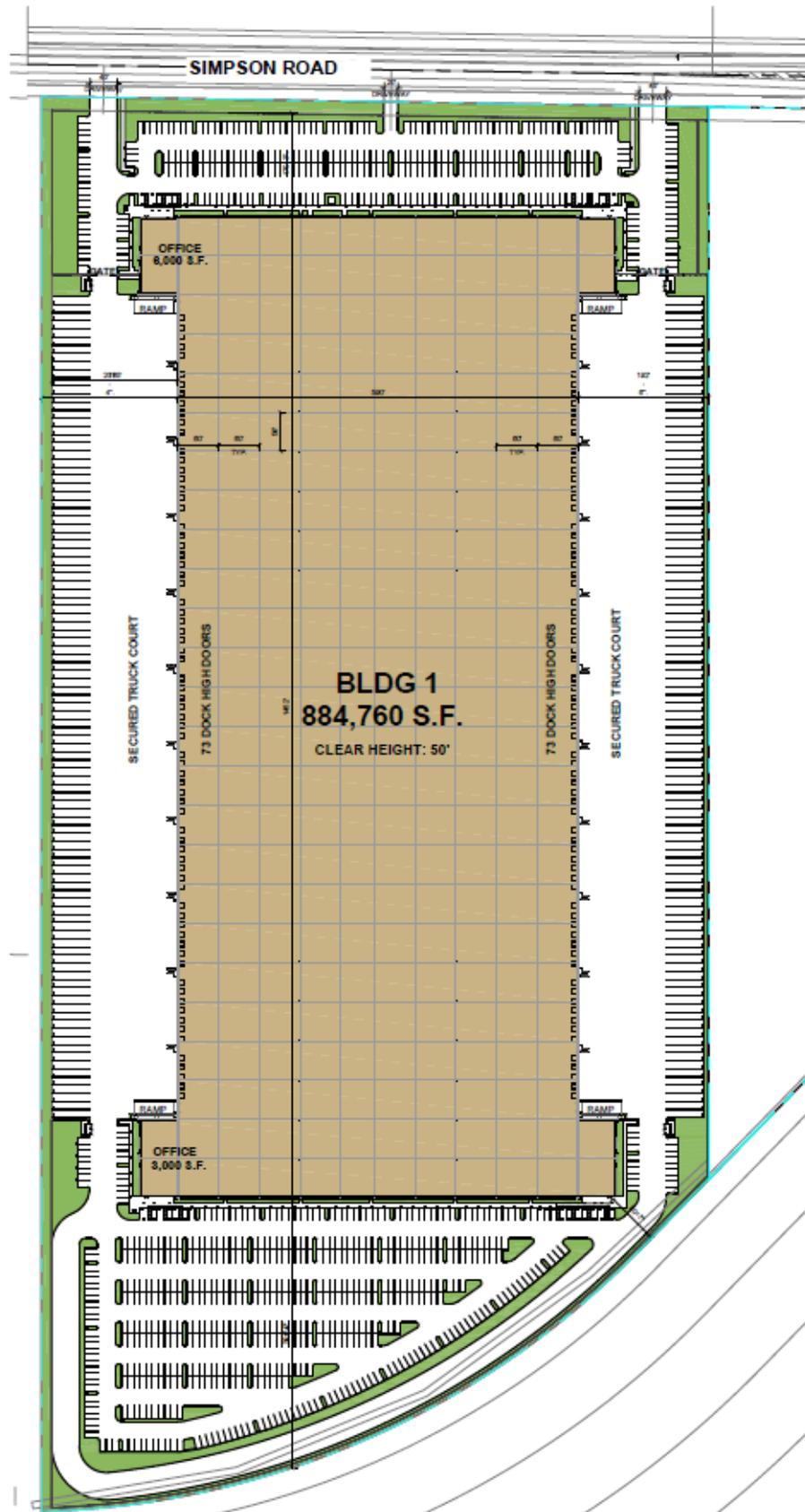
- Loss of Farmland
- Greenhouse Gas Emissions
- Traffic Noise
- Vehicle Miles Traveled

Revised Project Site Plan

The Revised Project Site Plan, referred to herein as the "Revised Project", would include development of one building on approximately 44.23 acres. The Revised Project would only include one building, Building 1, which would total approximately 884,760 SF, as shown in Figure 1, *Revised Project Site Plan*. The proposed building would include 9,000 SF of office space. The Revised Project would include approximately 938 auto parking stalls, 202 trailer parking stalls, and 146 dock doors. In addition, the Revised Project would include approximately 170,945 SF of landscape area. The off-site improvements proposed under the Previous Project would remain the same under the Revised Project.

The Revised Project would include a Tentative Parcel Map to split APN 465-140-043 into two parcels (Parcel 1 and Parcel 2) and provide right-of-way dedications from both APN 465-140-043 and 465-140-042 (Parcel 3). Parcel 1 is only proposed for development under the Revised Project; no development would occur on Parcel 2 or 3. The Revised Project would include a General Plan Amendment on the new Parcel 1 (westernmost parcel) from Mixed Use (MU) to Business Park (B-P) to ensure consistency with the existing zoning on Parcel 1.

Figure 1: Revised Project Site Plan



Impact Reductions

Based on the square footage reduction proposed under the Revised Project, EPD Solutions prepared a trip generation to calculate the reduced trips resulting from the Revised Project in comparison to the Previous Project. As shown in Table 1, compared to the Previous Project, the Revised Project would result in 655 net fewer daily trips, 38 net fewer AM peak hour trips and 51 net fewer PM peak hour trips. In terms of PCE, the Revised Project would result in 835 net fewer daily PCE trips, 49 net fewer AM peak hour PCE trips and 62 net fewer PM peak hour PCE trips.

Table 1: Change in Project Trip Generation

Land Use	Daily	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Prior Project							
Total Auto Trips	2,087	95	28	123	48	124	172
Total Truck Trips	452	17	6	23	7	18	25
Total Trips	2,539	112	34	146	55	142	197
Total PCE Trips	3,235	140	48	188	71	169	240
Reduced Project							
Total Auto Trips	1,549	70	21	91	35	93	128
Total Truck Trips	335	13	4	17	6	13	18
Total Trips	1,884	83	25	108	41	106	146
Total PCE Trips	2,400	106	33	139	51	127	178
Change in Trips							
Total Auto Trips	-538	-25	-7	-32	-13	-31	-44
Total Truck Trips	-117	-4	-2	-6	-1	-5	-7
Total Trips	-655	-29	-9	-38	-14	-36	-51
Total PCE Trips	-835	-34	-15	-49	-20	-42	-62

Since the Revised Project would result in fewer vehicle trips than the Previous Project, the analysis provided in the *Simpson Road Warehouse Traffic Impact Analysis* would be a conservative estimate of traffic impacts. Further, the reduction in trips generated by the Revised Project would correlate to a reduction in impacts associated with air quality, energy, greenhouse gas emissions, and traffic noise.

In order to demonstrate the decrease in air quality and greenhouse gas (GHG) emissions, EPD Solutions utilized CalEEMod to estimate the construction and operational emissions occurring from the Revised Project in comparison to those disclosed within the EIR. As shown in the attached memo, *Air Quality and Greenhouse Gas Tables for the Comparative Analysis of the Revised Newland Simpson Road Project*, regional air pollutant emissions from construction would be reduced by approximately 26 to 32 percent, dependent on the specific pollutant. Regional air pollutant emissions from operations would be reduced by approximately 24 to 27 percent, dependent on the specific pollutant. Localized construction emissions would be decreased by approximately 33 percent and localized operational emissions would be decreased by approximately 27 to 38 percent in comparison to the Previous Project. In addition, while GHG emissions resulting from the Revised Project would remain above SCAQMD's 3,000 MTCO_{2e} threshold, they would be reduced by approximately 26 percent compared to the Previous Project.

The reduction in building square footage as part of the Revised Project would result in decreased impacts related to aesthetics, hazards & hazardous materials, land use & planning, on-site construction & operational noise, vibration, population & housing, public services, utilities & service systems, and wildfire. Specifically related to aesthetics, since only Building 1 would be developed as part of the Revised Project, setbacks from the proposed building and Warren Avenue would increase. Therefore, views of the Domenigoni Mountains would be more expansive than those that would occur with implementation of the Previous Project. Furthermore, the reduction in development footprint would result in reduced ground disturbing activities and a reduction in impacts related to agriculture and forestry resources, biological resources, cultural resources, geology and soils, hydrology and water quality, and tribal cultural resources.

Validity of EIR

Under CEQA, cities are free to adopt a variation of a project or one of the alternatives, even though that specific variation was not directly analyzed in the EIR. For decades, courts have acknowledged that “CEQA does not handcuff decisionmakers,” and does not mandate “a blanket approval of the entire project initially described in the EIR. (*South of Market Community Action Network v. City and County of San Francisco* 33 Cal.App.5th 321, 336; *Dusek v. Redevelopment Agency* (1985) 173 Cal.App.3d 1029, 1041.) These courts have pointed out that if CEQA were implemented in a way to deny decisionmakers the flexibility needed to revise or alter projects based on the conclusions reached in the EIR, “the informational value of the document would be sacrificed.” (Ibid.) In other words, one of the major reasons CEQA requires an EIR is to inform decisionmakers of a potential project’s impacts and allow them the flexibility to use that information to alter or revise the project in a manner that limits environmental impacts but still achieves the desired goals.

Thus, not only may the City adopt an alternative identified in the EIR, the City may also adopt some variation of the Project or an alternative identified in the EIR. (*Southwest Regional Council of Carpenters v. City of Los Angeles* (2022) 76 Cal.App.5th 1154, 1181-82.) Notably, the only key consideration before the City adopts a variation of the Project or an alternative is whether the variation departs from the proposed Project or alternatives to such an extent that it triggers the need for recirculation. (*Western Placer Citizens for An Agricultural and Rural Environment v. County of Placer* (2006) 144 Cal.App.4th 890, 903-04, 06.) As the Revised Project would not result in a substantial increase in the severity of a previously identified environmental impact that would not be mitigated, or any of the other circumstances requiring recirculation as described in CEQA Guidelines Section 15088.5, recirculation of the EIR would not be required. Overall, the analysis contained within the *Newland Simpson Road Project EIR* provides a conservative analysis of potential impacts resulting from the Revised Project and the EIR can be relied upon as the CEQA documentation for the Revised Project.