



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Katherine M. Butler, MPH, Director
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Gavin Newsom
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SENT VIA ELECTRONIC MAIL

July 9, 2026

Eric Martin
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RE: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE PLANNING AREA 52 PROJECT (FILE NOS. 00956521-PGA, 00956519-
PZC, AND 00986547-PDA) DATED JULY 6, 2026, STATE CLEARINGHOUSE
NUMBER [2023070463](#)

Dear Eric Martin,

The Department of Toxic Substances Control (DTSC) reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for The Planning Area 52 Project (File Nos. 00956521-PGA, 00956519-PZC, and 00986547-PDA) (Project). The proposed Project includes a general plan amendment, zone change, and development agreement applications to establish a new residential village of approximately 281 acres (proposed Planning Area 52). The Project would involve redevelopment of the existing Oak Creek Golf Course and four office buildings within the Oak Creek Business Center (6400-6440 Oak Canyon), as well as development of vacant land along the western portion of the Innovation Office Park that was previously entitled for office development. In addition to these residential uses, the proposed Project also includes the development of a public nature park and trail system, a K-6 elementary school site, neighborhood parks, and on and off-site circulation and utility

infrastructure improvements. DTSC recommends and requests consideration of the following comments:

1. Due to the treatment of the golf course and the use of pesticides and herbicides, a number of contaminants of concern (COCs) can be present. The Lead Agency shall identify the amounts of Pesticides and Organochlorine Pesticides (OCPs) historically used on the property. If present, OCPs requiring further analysis are dichloro-diphenyl-trichloroethane, toxaphene, and dieldrin. Additionally, any level of arsenic present would require further analysis and sampling and must meet approved local area baselines or thresholds. If they do not, remedial action must take place to mitigate them below those thresholds. Additional COCs may be found in mixing, loading, and storage areas, drainage ditches, farmhouses, or any other outbuildings and should be sampled and analyzed. If smudge pots had been routinely utilized, additional sampling for Polycyclic Aromatic Hydrocarbons and/or Total Petroleum Hydrocarbons may be required. These recommendations should be adhered to and become part of the environmental document. Please refer to the [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#) for the most recent guidance and screening levels.
2. All imported soil/fill material should be tested to assess any contaminants of concern meet screening levels as outlined in [DTSC's Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#). Additionally, DTSC advises referencing the [DTSC Information Advisory Clean Imported Fill Material Fact Sheet](#) if importing fill is necessary. To minimize the possibility of introducing contaminated soil/fill material there should be documentation of the origins of the soil/fill material and, if applicable, sampling be conducted to ensure that the imported soil/fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of prior land use. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).

3. The City of Irvine should consider soil testing as mentioned in comment #1. If, in the event any COC results are above DTSC residential screening levels, DTSC recommends the City of Irvine address the contaminations within the Project area through an Environmental Site Assessment and/or receive oversight from a [self-certified local agency](#), DTSC or Regional Water Quality Control Board. If entering into one of DTSC's voluntary agreements, please note that DTSC uses a single standard Request for Lead Agency Oversight Application for all agreement types. Please apply for DTSC oversight using this link: [Request for Agency Oversight Application](#). Submittal of the online application includes an agreement to pay costs incurred during agreement preparation. If you have any questions about the application portal, please contact the relevant [Regional Brownfield Coordinator](#) for your Project.
4. If Irvine Unified School District (District) plans to use California Department of Education (CDE) State funds for the Project, then the District shall comply with the requirements of Education Codes [§17210](#), [§17213.1](#), and [§17213.2](#), unless otherwise specifically exempted under [§17268](#). If the District is not using CDE State funds for the Project or is otherwise specifically exempt under [§17268](#), DTSC recommends the District continue to investigate and clean up the site under the oversight of Orange County and in concurrence with all applicable DTSC guidance documents, if necessary. For more information on the CDE State funding, please visit the [Office of Public-School Construction](#) webpage. A local education agency may also voluntarily request the CDE site/plan approval for locally funded site acquisitions and new construction projects. In these cases, CDE will require DTSC to review and approve prior to its final approval, except when exempt under section 17268.

DTSC would like to thank you for the opportunity to comment on the NOP of a DEIR for the Planning Area 52 Project. If you would like to proceed with DTSC's school environmental review process, please visit [DTSC's Evaluating & Clean-up School 3-Step Process to begin a Phase I Environmental Site Assessment](#).

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Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like clarification on DTSC's comments, please respond to this letter or via our [CEQA Review email](#) for additional guidance.

Sincerely,



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cc: (via email)

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