



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Katherine M. Butler, MPH, Director
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Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

January 12, 2026

Daisy Kawasaki
Senior Planner
City of Victorville
14343 Civic Drive
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dkawasaki@victorvilleca.gov

RE: MITIGATED NEGATIVE DECLARATION FOR THE COURT (PLAN24-00005)
DATED JANUARY 8, 2026, STATE CLEARINGHOUSE NUMBER [2026010177](#)

Dear Daisy Kawasaki,

The Department of Toxic Substances Control (DTSC) reviewed the Mitigated Negative Declaration (MND) for The Court (PLAN24-00005) (Project). The proposed Project would involve the development of the 8.52-acre site with a new multiple-family residential development that would consist of 99-townhouse units with recreational amenities including a club house, pool area, game courts, and walkways. The proposed 99 unit townhome complex would include 20, 3 story buildings consisting of the following: 5 six-plex buildings with 6 units each, 13 five-plex buildings with 5 units each, 1 four-plex building with 4 units each, and 1 recreational building. Each of the 99 townhouse units would include an enclosed two or three-car garage. The 20 buildings would have a total floor area of 248,414 square feet (sf). Each unit would have 1,138 sf of common open space and between 175 to 354 sf of private open space. The total site area is 8.52 acres or 371,131 sf. Vehicular access to the project site would be provided by a new gated driveway connection with the north side of Silica Drive and a gated secondary connection with the west side of First Avenue. A total of 254 vehicle parking

spaces and 38 bicycle parking stalls would be provided. Landscaping would total 112,714 sf. DTSC recommends and requests consideration of the following comments:

1. When agricultural crops and/or land uses are proposed or rezoned for residential use, several 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/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. DTSC recommends all imported soil/fill material be tested to ensure all COCs meet screening levels as outlined in [DTSC's Preliminary Endangerment Assessment Guidance Manual](#). Furthermore, 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 soil/fill and knowledge of prior land use.
3. The City of Victorville 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 Victorville 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.

DTSC would like to thank you for the opportunity to comment on the MND for The Court (PLAN24-00005) 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,



Tamara Purvis
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Daisy Kawasaki
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cc: (via email)

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