



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

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Director
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Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

June 20, 2024

Chris Yeager

Associate Planner

City of Costa Mesa

77 Fair Drive

Costa Mesa, CA 92626

CHRISTOPHER.YEAGER@costamesaca.gov

RE: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE HIVE LIVE PROJECT DATED JUNE 5, 2024 STATE CLEARINGHOUSE NUMBER [2024060115](#)

Dear Chris Yeager,

The Department of Toxic Substances Control (DTSC) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Hive Live Project (Project). The Project proposes to demolish the existing Hive Creative Office Campus and Los Angeles Chargers practice field and construct a new multi-phased master-planned residential community ("Hive Live"). The Project proposes up to 1,050 dwelling units (rental/apartment units) in three buildings, 3,692 square feet of retail uses, and 335,958 square feet of open space. Each building includes its own residential amenities, including a clubhouse, fitness center, pool/spa, coworking lounge, and various other amenities along with open space. After reviewing the Project's MND, DTSC recommends and requests consideration of the following comments:

1. When agricultural crops and/or land uses are rezoned for residential use, a number of contaminants of concern 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 Dichlorodiphenyltrichloroethane (DDT), toxaphene, and dieldrin. Additionally, any level of arsenic present would require further analysis and sampling and must meet [HHRA NOTE NUMBER 3, DTSC-SLs](#) approved thresholds. If they are not, remedial action must take place to mitigate them below those thresholds.
2. Additional chemicals of concern may be found in mixing/loading/storage area, 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 (PAHs) and/or Total Petroleum Hydrocarbons (TPHs) may be required.
3. Due to the Zone reclassification change, a site and/or soil assessment should be completed to determine if any Recognized Environmental Conditions (REC's) are present. This may require a Phase I Environmental Site Assessment and oversight from DTSC or a [certified local agency](#). For boring and analyses recommendations under 50 acres, refer to [DTSC Interim Guidance for Sampling Agricultural Properties](#).
4. If buildings or other structures are to be demolished on any Project sites included in the proposed Project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with [DTSC's Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#).

5. All imported soil and fill material should be tested to ensure any contaminants of concern are within DTSC's and U.S. Environmental Protection Agency (USEPA) Regional Screen Levels (RSLs) for the intended land use. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material meets screening levels outlined in DTSC's [Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#) for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of the prior land use. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).

DTSC appreciates the opportunity to comment on the NOP of a DEIR for the Hive Live Project 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 any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Sincerely,

Tamara Purvis

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cc: (via email)

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