

THE GOLDSTEIN ENVIRONMENTAL LAW FIRM, P.A.  
*Brownfields, Transactions, Due Diligence, Permitting, Development, Cleanups & Compliance*

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## MEMORANDUM

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**TO:** Palm Beach County Zoning Division  
Cypress Creek Property Owners' Association

**FROM:** The Goldstein Environmental Law Firm, P.A.

**DATE:** January 21, 2026

**SUBJECT:** Sixth Quarterly Remediation Status Report for Former Cypress Creek Golf Course, 9400 S. Military Trail, Palm Beach County, FL 33436, Parcel Numbers 00-42-45-24-12-001-0010, 00-42-45-24-03-000-5851, and 00-42-45-24-03-000-5852 (the "Subject Property")

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On July 17, 2024, the Palm Beach Board of County Commissioners ("BCC") approved Resolution R-2024-0863, which, among other things, requires that Toll Brothers, Inc. ("Toll"), provide quarterly updates on the status of soil remediation to the County Zoning Division and the Cypress Creek Property Owners' Association ("POA"). This memorandum constitutes the sixth such quarterly status report.<sup>1</sup>

1. By way of review and as explained in the Fourth and Fifth Quarterly Remediation Status Report, Langan Engineering and Environmental Services, LLC ("Langan"), Toll's environmental consultant, is completing its investigation of soil and groundwater impacts from the former golf course. On September 11 and 12, 2025, Langan installed six (6) groundwater monitoring wells in the Lake Worth Drainage District ("LWDD") rights-of-way ("ROW") as shown below.<sup>2</sup> On September 17, 2025, Langan collected groundwater samples

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<sup>1</sup> The Fourth Quarterly Remediation Status Report was circulated on July 14, 2025.

<sup>2</sup> LMW-71 was installed just east of S. Military Road and south of the C. Stanley Weaver Canal (the "CSW Canal"). LMW-60, LMW-61, LMW-62, and LMW-63 were installed east of S. Military Road, west of Lawrence Road, and south of the CSW Canal. LMW-64 was installed due west of Lawrence Road, approximately midway between the CSW Canal to the

from five (5) of the six (6) monitoring wells and on September 22, 2025, collected a groundwater sample from the last monitoring well. All six (6) samples were sent to Eurofins lab for analysis of arsenic. There were no exceedances of arsenic above the Groundwater Cleanup Target Level of 10 parts per billion. We believe that the analytical results from the LWDD ROW constitute delineation of the northern and eastern extent of possible groundwater impacts. Toll's environmental team believes it has also established groundwater delineation to the west of the golf course.<sup>3</sup>

2. On December 22 and 23, 2025, Langan installed six (6) groundwater monitoring wells in the Palm Beach County ROW to complete delineation of impacts originating on the former golf course.<sup>4</sup> Samples were collected on December 26, 2025, and submitted to Eurofins lab for analysis of arsenic.
3. To assist in completion of offsite soil delineation in one remaining area, FDEP mailed Notices of Intent ("NOIs") to Issue Order Requiring Access to Property to owners of two (2) additional properties within the Cypress Creek neighborhood. The Firm is working closely with FDEP to obtain access and conduct the necessary testing. There were no exceedances of arsenic above the Groundwater Cleanup Target Level of 10 parts per billion. We believe the analytical results from the Palm Beach County ROW constitute delineation of the southern extent of the possible groundwater impacts.
4. On January 9, 2026, Langan filed a Site Assessment Report Addendum with FDEP.<sup>5</sup> Key conclusions of the SAR consisted of the following:
  - Except for two locations just beyond the eastern boundary of the former maintenance area, arsenic impacts associated with operation of the former golf course have been delineated.
  - Dieldrin exceedances in soil that exceed residential and commercial/industrial standards have been delineated. Dieldrin exceedances the leachability value have not

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north and Old Boynton Road to the south. All sampling locations are depicted on Figure 1, which can be found at the end of this memorandum.

<sup>3</sup> Note that FDEP will ultimately determine whether delineation has been achieved in any particular direction and, if not, the scope of additional testing required to complete the groundwater investigation.

<sup>4</sup> LMW-55 through LMW-70 were installed in the Palm Beach County ROW to the south of the Subject Property on the northern side of Old Boynton Road between South Military Trail and Lawrence Road.

<sup>5</sup> A copy of the SARA can be downloaded here <https://we.tl/t-jnWSU6LZJg>. Note that the link will expire on January 8, 2027, but will remain available via the FDEP portal, the link for which can be found in Paragraph No. 7 below.

been delineated to the Site boundary; however, groundwater data at the Site shows the soil is only leaching dieldrin into the groundwater at concentrations exceeding the groundwater standard in two locations.

- Toxaphene impacts in soil have been delineated in the former golf course and maintenance area, except for two locations just beyond the eastern boundary of the former maintenance area.
- Arsenic impacts in groundwater are delineated.
- Dieldrin impacts are delineated.

5. Key recommendations of the SAR consisted of the following:

- Removal of soils in the areas of tees and greens that exhibited exceedances of arsenic, dieldrin, or toxaphene as recommended in the approved Soil Management Plan (“SMP”), dated 19 March 2025.
- Collection of additional soil samples in the two locations beyond the eastern boundary of the former maintenance area once access is obtained and thereafter soil removal as warranted to meet residential standards.
- Following the completion of earthwork activities, conduct a minimum of one (1) year of groundwater monitoring to demonstrate groundwater impacts are stable or decreasing in pursuit pursuing a No Further Action with Conditions closure under Rule 62-780.680(3), F.A.C.
- Implementation of a Declaration of Restrictive Covenant for any remaining on-site soils with contaminants above the residential standard, inclusive of engineering controls as specified in the approved SMP
- Approval of a Non-recorded Institutional Control for on-site and off-site groundwater with contaminants above allowable levels.

6. On January 16, 2026, a second meeting of the Brownfield Advisory Committee created pursuant to the Brownfield Site Rehabilitation Agreement between Toll and FDEP, dated May 4, 2025, was convened. Pursuant to § 376.80(4), Florida Statutes, Toll convened the Advisory Committee to present the findings and recommendations in the Langan Site Assessment

Report Addendum as well as the proposed course of action developed following site assessment. A copy of the minutes is attached.

7. Toll remains in full compliance with its obligations under the BSRA and Chapter 62-780, F.A.C. More details regarding the specifics of Toll's submittals to FDEP and FDEP's responses thereto, along with communications between FDEP, Toll, and other stakeholders, can be found by visiting FDEP's online file for the Subject Property under Facility ID Number ERIC\_10930 here: [https://prodenv.dep.state.fl.us/DepNexus/public/electronic-documents/ERIC\\_10930/facility!search](https://prodenv.dep.state.fl.us/DepNexus/public/electronic-documents/ERIC_10930/facility!search)
8. Questions, comments, or concerns regarding the matters discussed or otherwise referenced herein may be directed to Michael R. Goldstein, Esq., at (305) 777-1682, which is an office phone line, (305) 962-7669, which is a cell phone line, or [mgoldstein@goldsteinenvlaw.com](mailto:mgoldstein@goldsteinenvlaw.com). Thank you.

/mrg

cc: Toll Brothers, Inc.  
Langan Engineering and Environmental Services, LLC



Figure 1- Sample Location Map

