

STATE OF NEVADA  
Department of Conservation & Natural Resources  
DIVISION OF ENVIRONMENTAL PROTECTION

Brian Sandoval, Governor  
Leo M. Drozdoff, P.E., Director  
Colleen Cripps, Ph.D., Administrator

February 26, 2013

Chris Carlson  
Senior Vice President  
City National Bank  
555 South Flower Street  
Los Angeles, CA 90014

Subject: **No Further Action Determination** – Carson River Estates

Mr. Carlson:

**This letter has been updated to reflect a change requested by AEI Consultants. The change in question is the reference to City National Bank in the third paragraph has been changed to Carson River Estates, LLC.**

The Nevada Division of Environmental Protection (NDEP) has reviewed the January 11, 2013 Shallow Subsurface Investigation report for the Carson River Estates in Dayton, Nevada prepared by AEI Consultants and Peter McIntyre, CEM. This letter provides a no further action determination for investigation of contamination which includes mercury, lead and arsenic pursuant to the Record of Decision and the associated Draft Long Term Sampling and Response Plan (LTSRP) for the Carson River Mercury Superfund Site (CRMS).

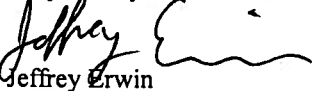
The soil sampling results from Carson River Estates indicate that finish-grade soils [equal to, or less than, two feet below ground surface (bgs)] do not exceed CRMS residential screening/action levels for mercury, arsenic or lead. Based on the information provided, NDEP will not require further sampling, assessment or remediation of Carson River Estates.

Carson River Estates, LLC will, however, be required to institute a Durable Notification Mechanism (DNM) for the parcels within the Carson River Estates. DNMs are required to prevent future contact with contaminated soil when it may reasonably be expected to remain below two feet, and natural events or future land uses may include excavation or disturbance of soil to depths greater than two feet bgs. DNMs may take several forms, but must be durable and accessible. Perpetual environmental covenants have been drafted and attached to the individual parcel deeds associated with other developments in the CRMS to support the DNM requirement. NDEP is available to discuss the options available for the DNM and can provide examples, if necessary.

The January 11, 2013 Shallow Subsurface Investigation report contains a request for a no further action determination from the NDEP. This no further action determination is subject to the sampling data and information presented in the Shallow Subsurface Investigation report. If new information is presented or future conditions warrant, the NDEP may request further information, data, investigation, sampling and/or remediation.

If you have any questions or concerns regarding this letter, please contact me at (775) 687-9379 or [jerwin@ndep.nv.gov](mailto:jerwin@ndep.nv.gov).

Respectfully,

  
Jeffrey Erwin  
Environmental Scientist  
Superfund Branch  
Bureau of Corrective Actions

ec: Jeff Collins, NDEP  
Dave Friedman, NDEP  
Jere Johnson, EPA  
Bryan Campbell, AEI Consultants

