

**PHASE I
ENVIRONMENTAL SITE ASSESSMENT**

FAGEN PROPERTY

CARSON CITY, NEVADA

NOVEMBER 27, 2018

**PREPARED BY
ROBISON ENGINEERING COMPANY
35 HIGH RIDGE COURT
RENO, NV 89511**

A Report Prepared For:

Nevada Land Trust
P. O. Box 20288
Reno, NV 89515

PHASE I ENVIRONMENTAL SITE ASSESSMENT
FAGEN PROPERTY
CARSON CITY, NEVADA

Robison Engineering Company, Inc.
Job No. 1-74-32.001

IURAT

I, Wally Robison, hereby certify that I am responsible for the services described in this document and for the preparation of this document. The services described in this document have been provided in a manner consistent with the current standards of the profession and to the best of my knowledge comply with all applicable federal, state, and local statutes, regulations, and ordinances.

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in 40 CFR Part 312.

I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.



Wally Robison, C. E. M. # 1054, Expires 11-23-19
Principal

November 27, 2018

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1.0 EXECUTIVE SUMMARY

This report presents the results of a Phase I Environmental Site Assessment (ESA) conducted on a parcel of land located in Carson City, Nevada. The property is referred to herein as the Fagen Property. The Phase I services included a review of pertinent agency records, interviews of individuals with knowledge of the property, an evaluation of readily available historic topographic maps and aerial photographs, and a reconnaissance of the property.

The property contains 20 acres of undeveloped land along the northwest side of Highway 50 southwest of Carson City. I found no evidence that the property was ever developed. It is surrounded by undeveloped public and private lands on all sides except the southeast, which borders Highway 50.

I have performed this Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13, with the U. S. EPA's Standards and Practices for All Appropriate Inquiry (AAI). There were no exceptions to, or deletions from, these practices. This assessment has revealed no evidence of recognized environmental conditions (RECs) in connection with the property, or conditions indicative of releases or threatened releases of hazardous substances on or near the parcel.

I identified no data gaps (as defined in 40 CFR Part 312.10 in the information developed as part of the all appropriate inquiry that affects my ability as an environmental professional to identify conditions indicative of releases or threatened releases of hazardous substances, pollutants, contaminants, petroleum and petroleum products, and controlled substances on, at, in, or to the subject property.

I have no recommendations for additional environmental assessment of the property.

This Executive Summary is subject to the limitations stated in Section 13 of this report.

2.0 INTRODUCTION

2.1 PURPOSE AND PROJECT BACKGROUND

At the request of Ms. Alicia Reban of the Nevada Land Trust (NLT), I agreed to conduct a Phase I ESA of the Fagen Property, located southwest of Carson City, Nevada. I understand that NLT is interested in the acquisition of this property. NLT requires the preparation of a Phase I ESA as part of its acquisition process. The purpose of the Phase I ESA was to review areas of possible environmental concern that could be identified through the agreed work scope.

2.2 AUTHORIZATION

On November 15, 2018 Ms. Alicia Reban of NLT signed a copy of Robison Engineering's standard service contract, authorizing the performance of Robison Engineering's services.

2.3 REGULATIONS

In 1980, Congress enacted the Comprehensive Environmental, Response, Compensation, and Liability Act (42 U. S. C. SS9601 *et. seq.*, usually referred to as "CERCLA" or "Superfund."⁽¹⁾ CERCLA's purposes are to provide funding and enforcement authority for remediation of hazardous waste sites created in the past and for responding to hazardous substance spills. In 1986, Congress enacted revisions to CERCLA through the Superfund Amendments and Re-authorization Act (Pub. L. No. 99-449) referred to as "SARA." Section 107 (a) of CERCLA names present and past "owners or operators" of a site as potentially responsible parties for the liability of site remediation if the site is found to contain hazardous wastes.

The U. S. EPA's All Appropriate Inquiry (AAI) rule (40 CFR Part 312), became effective November 1, 2006. The rule recommends that the user of this report, the NLT, complete a questionnaire regarding its knowledge of the environmental condition of the property. A copy of this questionnaire is contained in the Appendix to this report.

I conducted this Phase I ESA to assist NLT in forming its own assessment of potential environmental risks in association with acquisition of the property.

2.4 QUALIFICATIONS OF PROFESSIONAL STAFF

I have a B. S. degree in Geological Engineering with 46 years of professional experience. I am a Nevada Registered Professional Engineer (retired status) and Certified Environmental Manager. I have prepared numerous Phase I ESAs throughout Nevada and other Western States.

3.0 SCOPE OF WORK

NLT requested that I evaluate the subject property for environmental concerns. My work included various reconnaissance level tasks focused at providing limited preliminary environmental information.

My Phase I ESA scope of services included:

- Collection and review of local and state agency records.
- Review of historic topographic maps and aerial photographs.
- Reconnaissance of the site and site vicinity to assess areas of potential environmental concern, including obvious evidence of facilities, structures, chemical use, storage, or disposal.
- Interviews with people knowledgeable of the site.
- Preparation of this Report of Findings.

The proposed scope of work did not include a radon gas survey, inspections within buildings to sample for polychlorinated biphenyls (PCBs), asbestos, etc., or evaluation of biologically sensitive areas, such as, wetlands, archaeological sites, flood plains, earthquake faults, etc., or other services not described.

This scope is intended to meet the ASTM E 1527-13 standard for a Phase I ESA and the U. S. EPA's Standards and Practices for All Appropriate Inquiry.

4.0 SITE OVERVIEW

4.1 LOCATION

The property consists of a single 20-acre parcel of land located in the northwest quarter of the southwest quarter of Section 34 of Township 15 North, Range 19 East, M. D. B. M. The Carson City Assessor's Parcel Number (APN) for the parcel is 007-051-81. The regional location of the property is shown on Figure 1 in Appendix 2.

4.2 SITE DESCRIPTION

The parcel lies on the north side of Clear Creek Canyon, on the north side of Highway 50 and southwest of Carson City at the east base of the Carson Range. Elevation on the parcel averages about 5,980 feet above sea. Overall drainage from the parcel is to the southeast. There are no electric, gas, or sewer connections to the property and no roads or other developments on the parcel except for perimeter barbed-wire fencing. There is no surface water on the parcel.

4.3 ADJACENT PROPERTIES

The property is surrounded by undeveloped public and private lands of a similar nature on all sides except the southeast, which is bordered by Highway 50.

Figures 2 and 3 in Appendix 2 present a topographic map and an aerial photograph of the property and vicinity, showing the location of pertinent features in the area.

5.0 SITE HISTORY AND OPERATIONS

Through review of historic topographic maps, I found that the property had no building developments from as early as 1891 to as late as 2018. Through review of historic aerial photographs, I found that there have been no developments on the property. From my field reconnaissance it does not appear that the property has ever had any developments other than the perimeter fencing.

Through an interview with the owner of the parcel I found that he purchased the parcel from Ms. Elizabeth McCleary in 2004, who had acquired the property from the Hutcheson family trust in 1998. He has had no formal use of the property. In summary, I found no records of any former use of the property.

6.0 GEOLOGIC AND HYDROGEOLOGIC SETTING

6.1 REGIONAL PHYSIOGRAPHY

The property is located at the eastern edge of the Sierra Nevada Mountains physiographic province, which is characterized by an up-thrown granitic batholith relative to the Basin and Range physiographic to the east. The Basin and Range province is characterized by generally

north-south trending mountain ranges, separated by intervening valleys or basins. The basins represent down-dropped blocks of earth (grabens) relative to the up-thrown ranges (horsts) on the basin edges. This horst and graben topography, which characterizes much of Nevada, was created by numerous normal faults that occurred in the Tertiary geologic period, although faulting and earthquake activity continue throughout Nevada to the present.

6.2 SITE -SPECIFIC GEOLOGY AND HYDROGEOLOGY

The property is located at the eastern base of the Carson Range, which is a horst relative to Eagle Valley graben to the east and the Tahoe Basin to the west. The property is entirely underlain by underlain by Cretaceous-aged granite of the Sierra Nevada batholith. (2)

Based on information from the Nevada Division of Water Resources' website, there 187 registered water wells in Section 34 (the location of the property), with no wells on the property. The nearest well was a municipal well located in a drainage southeast of the property that was drilled in 1948 by Carson City. In this well, groundwater was encountered at a depth of 61 feet. Based on this information, I estimate that the depth to water beneath property to be in the depth range of 60 to 70 feet. Based on topography, the groundwater flow direction should be to the southeast.

7.0 ASSESSMENT ACTIVITIES

7.1 RECORD SEARCH AND INTERVIEWS

Records contained in state and local agency files, and interviews with on-site and adjacent land tenants can often reveal historic information of potential environmental concern related to a property or the surrounding area. Many of the agencies, however, have maintained these types of files for approximately the past 30-35 years. Section 8.1 of this document summarizes the results of my record search and interviews.

7.2 TOPOGRAPHIC MAP AND AERIAL PHOTOGRAPH REVIEW

Review of historic topographic maps and aerial photography is one means of identifying past activity on or adjacent to a site. Topographic maps may show historic developments on or near the property. Aerial photographs may provide evidence of site operations, housekeeping practices, dumping or disposal activity, ground scarring, spills, leaks, stains, or other features of interest. The size of a feature that may be resolved is partially dependent upon the scale of the available aerial photography.

7.3 SITE RECONNAISSANCE

I visited the property to assess current conditions on November 20, 2018. My reconnaissance included a visual search for evidence of current and past use of the property, with specific emphasis on chemical use, storage, and/or disposal. I also observed the adjacent property for evidence of potential impact to the subject property. Potential impacts from off-site activities could result from:

- Poor housekeeping practices;

- Under or above-ground fuel/chemical storage;
- Chemical or fuel spills; and
- Authorized or unauthorized dumping of wastes.

Section 8.3 of this document summarizes the results of my site reconnaissance.

8.0 RESULTS OF ASSESSMENT ACTIVITIES

8.1 RECORDS SEARCH AND INTERVIEW RESULTS

I retained Environmental Data Resources, Inc. (EDR) to review a total of 70 different environmental databases for listings of the subject property or properties within a maximum one-mile radius of the perimeter of the subject property.

EDR found no environmental database listings for the subject property. EDR found only 1 listing for a property within the prescribed search radius; the Burt Wade property at 3050 Old Clear Creek Road, at an elevation lower than the subject property. This site had a leaking underground storage tank. Importantly, the site was listed as having been closed by the Nevada Division of Environmental Protection (NDEP). A closure indicates that a release of a hazardous or regulated material occurred at the site, and remediation of the release was performed to the satisfaction of the NDEP. A copy of EDR's report is contained in Appendix 3. EDR's report also provides a more complete description of the types of lists reviewed.

I reviewed Carson City Assessor's information for the property. The information often includes the ownership of the property and the improvements thereon. The listing shows that the property is owned by William Michael Fagen, with no indicated improvements. Copies of the Assessor's information are contained in Appendix 4.

I interviewed Mr. Mike Fagen. He told me of his knowledge of the history of the property. He was not aware of any developments on the property or of any environmental problems on the property.

In summary my record search and interview did not disclose the presence of recognized environmental conditions on the property.

8.2 TOPOGRAPHIC MAP AND AERIAL PHOTOGRAPH REVIEW RESULTS

I reviewed historic topographic maps for the years 1891, 1956, 1968, and 2018 that showed the property. I reviewed historic aerial photographs that covered the property for the years 1990, 2003, 2007, 2013, and 2018. My observations on the maps and photos are discussed in the Site History section above. Essentially, there was no change in the subject property over the 28-year photographic record other than minor changes in vegetation on the property.

In summary, the topographic maps and aerial photographs failed to disclose any activities on the property, or on adjacent properties, that conflicted with my knowledge of the history of the area, or that would indicate a potential environmental problem with the property. Copies of the topographic maps and aerial photographs I reviewed are contained in Appendix 2

8.3 SITE RECONNAISSANCE RESULTS

I visited the property on November 20, 2018. I found the property to be in essentially pristine condition. I noted that the property has perimeter fencing, and that it borders the Highway 50 right-of-way on the southeast side. An exit off Highway 50 for Golf Club Drive is near the southwest corner of the property. I did not note any evidence of recognized environmental conditions (RECs) on the property.

Photographs taken during my site reconnaissance are presented on Figures 11 through 14 in Appendix 2.

9.0 DISCUSSION OF FINDINGS

The subject property is vacant and undeveloped. It is surrounded by undeveloped land on all sides except the southeast side, which borders Highway 50. No past use of the property or surrounding properties are likely to have created RECs on the property.

10.0 CONCLUSIONS

I offer the following opinion as to whether the all appropriate inquiry conducted in accordance with 40 CFR Part 312 has identified conditions indicative of releases or threatened releases of hazardous substances, pollutants, contaminants, petroleum and petroleum products, and controlled substances on, at, in, or to the subject property: In my opinion there are no recognized environmental conditions on the property.

I identified no data gaps (as defined in 40 CFR Part 312.10 in the information developed as part of the all appropriate inquiry that affects my ability as an environmental professional to identify conditions indicative of releases or threatened releases of hazardous substances, pollutants, contaminants, petroleum and petroleum products, and controlled substances on, at, in, or to the subject property.

11.0 RECOMMENDATIONS

I have no recommendations for additional environmental assessment of the subject property.

12.0 REFERENCES

1. Arbuckle, Gordon J. et al., 1989, Environmental Law Handbook; Tenth Edition, Government Institutes, Inc.
2. Moore, James G., 1969, Geology and Mineral Deposits of Lyon, Douglas. And Ormsby Counties, Nevada; Nevada Bureau of Mines and Geology.
3. Environmental Data Resources, Inc., 2018, Radius Map Report
4. U. S. Geological Survey Website, historic topographic maps
5. Google Earth Website, historic aerial photographs

6. Nevada Division of Water Resources Website, groundwater well records
7. Carson City Website, assessor property records

13.0 LIMITATIONS

Environmental assessments such as presented in this report are by nature non-comprehensive and subject to limitations including those presented below. This assessment was not designed to identify all potential concerns or eliminate the probability of acquiring land with some degree of risk.

Many of the agencies consulted only keep records for the past fifteen to twenty years. Efforts were made to interview people with historical knowledge of the site, but information received in this way is subject to many errors, including personal interpretations/memory.

Analysis of historical aerial photography is one means to remotely sense environmental conditions of a site. Photographs can provide a record of activity and/or practices evident at a point in time. Inherent limitations include the resolution of the photography, the number and scale of photographs that are available for analysis, and the interpretation of features provided by the analyst.

I have performed this environmental site assessment in accordance with the generally accepted standards of care and diligence normally practiced by reputable environmental consulting and engineering firms in performing such work at the time of this study. This study was conducted in conformance with ASTM Standard E-1527-13, and with the U. S. EPA's Standards Practices for All Appropriate Inquiry. Please recognize that definition and evaluation of environmental conditions is a difficult and inexact art. Judgments leading to conclusions and recommendations are generally made with an incomplete knowledge of the subsurface and/or historic conditions applicable to the property. I should be notified for additional consultation if the Nevada Land Trust wishes to reduce the uncertainties beyond the level associated with this study. Because of potential changes in the environmental field such as regulations and site conditions, this report should be considered current only as of the date of my site reconnaissance. This report is for the sole use of the Nevada Land Trust. No warranty, express or implied, is made.

APPENDIX

1. ASTM User Questionnaire
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