

# LOS ANGELES



IRWA  
CHAPTER 1



November  
2007

## Upcoming Events

December 4, 2007  
Tri Chapter Installation

January 22, 2008  
Membership Luncheon



## President's Message

By: Bryan Riggs, MAI,  
SR/WA

As we start to wind down this year, we have a lot to be thankful about. I would like to thank Keith Dang, MAI, SR/WA, our Education

Coordinator, who just wrapped up our last two courses of the year for Chapter 1 Education Schedule. Please see our Education Schedule for 2008 as we rollout 8 courses and 3 seminars. Also, I would like to thank Joyce Riggs, MAI, SR/WA, our Fall Seminar Chair, and all of the speakers who volunteered their time to our **15<sup>th</sup> Annual Fall Conference** at the Quiet Cannon in Montebello.

## Membership Luncheon

**November**

**and**

**December - Dark**

I would like to thank and congratulate our newly elected 2008 Chapter 1 Officers: Andrew Thompson, SR/WA, President, Vivian Howell, SR/WA, R/W-RAC, President Elect, Bill Larsen, Treasurer, Konstantin Akhrem, Secretary, and Michael Popwell, SR/WA, our Professional Development Chair for their continued commitment to our chapter.

We will be dark in November, but please mark your calendars for our last event of the year - **The 2008 Tri-Chapter Installation**. This year the **2008 Tri-Chapter Installation** will be held on December 4, 2007 and will be hosted by Chapter 57 at the historic and beautiful **Mission Inn**, Riverside, California. Networking will start at 11:30. Please contact Jan Spindler at (951) 826-5498 or [jspindler@riversideca.gov](mailto:jspindler@riversideca.gov) for reservations or information. Andrew Thompson will be installed as our 2008 Chapter 1 President, along with our elected Chapter 1 officers as mentioned above. This is always a well attended and very festive event. I look forward to seeing all of you at our upcoming events.

Happy Thanksgiving!

## Volunteers Needed

In 2008, Chapter 1 will be hosting a variety of events, courses and seminars. If you have that desire to help out or are interested in becoming more involved with the IRWA, we are looking for volunteers. Currently we are looking for a few individuals to help coordinate the 2008 Tri-Chapter Installation Luncheon and a Region Forum. Anyone interested should contact me by phone at (213) 244-5032 or email [athompson@semprautilities.com](mailto:athompson@semprautilities.com).

Thank you,  
Andrew Thompson  
2007 Chapter 1 President Elect

**IRWA Chapter 1  
2007 Officers and Executive Board**

<i>President and International Director</i>	<b>Bryan Riggs, MAI, SR/WA</b> Riggs & Riggs, Inc.	805-578-2400 ext 101	<a href="mailto:riggsinc@sbcglobal.net">riggsinc@sbcglobal.net</a>
<i>President-Elect and International Director and Tri-Chapter Chair</i>	<b>Andrew Thompson, SR/WA</b> Sempra Utilities	310-244-5032	<a href="mailto:athompson@semprautilities.com">athompson@semprautilities.com</a>
<i>Treasurer</i>	<b>Vivian Howell, SR/WA</b> Los Angeles World Airports	310-417-0450	<a href="mailto:vhowell@lawa.org">vhowell@lawa.org</a>
<i>Secretary</i>	<b>Bill Larsen</b> Integra Realty Resources	818-593-7200	<a href="mailto:wlarsen@irr.com">wlarsen@irr.com</a>
<i>Professional Development</i>	<b>Michael Popwell, SR/WA</b> LA Community Dev. Com.	323-890-7195	<a href="mailto:michael.popwell@lacdc.org">michael.popwell@lacdc.org</a>
<i>Nominations and Awards</i>	<b>Tom Hanley, P.E.</b> Paragon Partners	714-379-3376 ext 222	<a href="mailto:thanley@paragon-partners.com">thanley@paragon-partners.com</a>
<i>Education</i>	<b>Keith Dang, MAI, SR/WA</b> AFI Valuation Group, Inc.	310-378-0309	<a href="mailto:afivaluation@aol.com">afivaluation@aol.com</a>
<i>Membership</i>	<b>Alan Sozio Esq.</b> Burke, Williams, & Sorenson, LLP	213-236-2819	<a href="mailto:asozio@bwslaw.com">asozio@bwslaw.com</a>
<i>Luncheon</i>	<b>Cheryl DeMucci</b> Epic Land Solutions, Inc.	310-378-2061	<a href="mailto:cheryldemucci@epicland.com">cheryldemucci@epicland.com</a>
<i>Webmaster</i>	<b>Mark Brusca</b> Riggs & Riggs, Inc.	805-578-2400 ext 105	<a href="mailto:markbrusca@sbcglobal.net">markbrusca@sbcglobal.net</a>
<i>Newsletter</i>	<b>Natalie Michelson</b> JPI Studios, Inc.	818-634-6932	<a href="mailto:aunttaliee@aol.com">aunttaliee@aol.com</a>
<i>Law</i>	<b>Michael Yoshiba, Esq.</b> Richards, Watson & Gershon	213-626-8484	<a href="mailto:myoshiba@rwglaw.com">myoshiba@rwglaw.com</a>
<i>Valuation Seminar</i>	<b>Paul Norlen, MAI</b> Metropolitan Water District	213-217-7665 ext 102	<a href="mailto:pnorlen@mwdh2o.com">pnorlen@mwdh2o.com</a>
<i>Relocation Seminar</i>	<b>Bill Von Klug, SR/WA, R/W - RAC</b> LA County Development Commission	323-890-7495	<a href="mailto:Billvonklug@LACDC.org">Billvonklug@LACDC.org</a>
<i>Fall Seminar</i>	<b>Joyce L. Riggs, MAI, SR/WA</b> Riggs & Riggs, Inc.	805-578-2400 ext 102	<a href="mailto:jlriggs@sbcglobal.net">jlriggs@sbcglobal.net</a>
<i>Historian</i>	<b>Dan Kazden</b> Riggs & Riggs, Inc.	805-578-2400 ext 104	<a href="mailto:dankazden@sbcglobal.net">dankazden@sbcglobal.net</a>
<i>Engineering/Survey</i>	<b>Art Cordero, PLS, SR/WA</b> City of Los Angeles	213-482-7192	<a href="mailto:apcor75a@yahoo.com">apcor75a@yahoo.com</a>
<i>Environmental</i>	<b>Mohammed Estiri, PhD</b> Eco & Associates, Inc.	714-832-5427	<a href="mailto:mestiri@panenv.com">mestiri@panenv.com</a>
<i>Pipeline/Utility</i>	<b>Gary Valentine, MAI, SR/WA</b> Valentine Appraisal & Assoc.	661-288-0198	<a href="mailto:gsv@valentineappraisal.com">gsv@valentineappraisal.com</a>
<i>Property Management</i>	<b>Duncan Robb, SR/WA, R/W - AMC</b>	909-627-2590	<a href="mailto:duncary@msn.com">duncary@msn.com</a>
<i>Liaison</i>	<b>Tom Hanley, P.E.</b> Paragon Partners	714-379-3376 ext 222	<a href="mailto:thanley@paragon-partners.com">thanley@paragon-partners.com</a>
<i>Title</i>	<b>Teri Kortens</b> Land America Commercial Servies	213-330-3084 310-210-6741 cell	<a href="mailto:tkortens@landam.com">tkortens@landam.com</a>

**Membership Drawing**

At each chapter luncheon we draw a name from the Chapter 1 roster and if that person is in attendance, they win a cash prize. The drawing starts at \$50 and increases \$10 for each month that there isn't a winner. We haven't had a winner in a while. November's drawing will be for \$330 so be sure to be there in case your name is drawn!

## Case of the Month

### **“Realigning Our Understanding of a ‘Project’ Under CEQA:**

***Toulumne County Citizens for Responsible Growth, Inc. v.***

***City of Sonora, California Gold Development Corp.***

*Filed October 31, 2007,*

*( Fifth District) Cite as 2007 DAR 16439, Nov. 2, 2007*

by: Christopher J. Diaz, Esq., Richards Watson & Gershon, a Professional Corporation

IRWA members dealing with a project that includes the re-alignment of a neighboring roadway as a condition of project approval may want to take note of the recent case of *Toulumne County Citizens for Responsible Growth, Inc. v. City of Sonora, California Gold Development Corp.* (2007) 155 Cal.App.4th 1214. In *Toulumne County*, the Court of Appeal held the approval of a Lowe’s home improvement store and the adoption of a mitigated negative declaration violated CEQA because the scope of the “project” should have included both the Lowe’s home improvement center and the realignment of a neighboring road as a single “project” for purposes of CEQA.

This holding came down in response to a petition for writ of mandate filed by the citizen’s group Responsible Growth. In developing its holding, the Court took cue from the only other case with significant similarities, *Plan for Arcadia, Inc. v. City Council of Arcadia* (1974) 42 Cal.App.3d 712. In that case, a developer proposed the construction of the Santa Anita Fashion Park along Baldwin Avenue in the City of Arcadia. Because of the increased traffic that would flow onto Baldwin Avenue with the operation of the Fashion Park, the City of Arcadia conditioned the approval of the Fashion Park on the developer paying the costs of widening the southern portion of Baldwin Avenue that bordered the project site. The developer agreed to such an arrangement.

Using this prior precedent, the Court of Appeal in *Toulumne County* noted that the realignment of Old Wards Ferry Road which bordered the Lowe’s project site was similar to the widening of the southern portion of Baldwin Avenue, and should have been included as part a single “project” under CEQA. In making this decision, the Court noted two points. First, similar to the widening of Baldwin Avenue in *Plan for Arcadia* which was a condition of project approval, the realignment of Old Wards Ferry Road was also a condition of approval to the Lowe’s home improvement project. Second, similar to the developer of the Fashion Park in *Plan for Arcadia* who committed to funding and completing the road widening, the developer for Lowe’s also committed to funding and completing the road realignment.

The Court did not stop there however, and applied general principles from *Plan for Arcadia* to the facts before them. First, the Court noted that one way to evaluate which acts are part of single project is to examine how closely related the acts are to the overall objective of the project. Here, the Court noted that Lowe’s objective is to open and operate a home improvement store. Because the road realignment was a condition of approval of the Lowe’s project, the road realignment was a step that Lowe’s needed to take to achieve its objective. Next, the Court noted that two acts constitute a single “project” for CEQA purposes where the two acts are related in time, physical location, and in the entity undertaking the action. Here, the road realignment and the Lowe’s project were related in time, since the road realignment had to be completed before business operations could begin. Second, in terms of physical location, Old Wards Ferry Road borders the Lowe’s project site. Third, Lowe’s as the developer, is the single entity responsible for funding and completing the road realignment and the Lowe’s project itself.

Lastly, the Court also responded to Lowe’s argument that the road realignment was separate and independent of the Lowe’s project itself and thus amounted to a separate “project” for CEQA purposes. Specifically, Lowe’s made three arguments along the separate and independent argument lines. First, Lowe’s argued that it only sought approval to construct a Lowe’s home improvement store, and did not seek approval for the road realignment. The Court noted however that separate approvals does not create separate projects as indicated by CEQA Guideline § 15378(c). Second, Lowe’s argued the road realignment is a separate project because the realignment is not necessitated by the Lowe’s project itself, but rather is necessitated by regional traffic conditions and cumulative impacts associated with growth and development throughout the City of Sonora. The Court rejected this position “that a CEQA project excludes an activity that actually will be undertaken if the need for that activity was not fully attributable to the project as originally proposed.” Finally, Lowe’s argued that the road realignment and the Lowe’s project were not integral and thus separate and independent projects because they could be implemented independently of each other. The Court responded by establishing the idea that just because all integral activities are part of the same CEQA project does not mean that *only* integral activities are part of the same CEQA project. The Court also disagreed with Lowe’s definition of integral which Lowe’s argued meant that two acts must be implemented dependently of each other. The Court noted that even if this definition was correct, any independence between the road realignment and the project itself was brought to an end when the road realignment was added as a condition of project approval.

### New Members

Name	Company Name	Referred By
Kathlynn Smith	Nossaman, Guthner, Knox, & Elliot, LLP	Alan Sozio



IRWA Chapter 1 Annual Fall Seminar taken on October 23, 2007 at the Quiet Cannon Montebello



Gary Valentine, MAI, SR/WA from Valentine Appraisal & Associates discussing "Valuation of Pipeline"



Alan Thompson from Southern California Association of Governments discussing "What Infrastructure Will The Southland Need In 2020-Forecast From SCAG"



Regina N. Danner, Esp. and Kristen R. Bowman, Esp. from Richards, Watson & Gershon discussing "The Never-Ending Story: Kelo's Continuing Impact On Redevelopment"



Jim Overcamp, SR/WA from Epic Land Solutions, Inc. discussing "Right of Way Consulting Growth & Certification Under the Uniform Act"



Matthew Masuda, Civil Engineering Associate IV from City of Los Angeles discussing "Valley Boulevard Grade Separation Project in Alhambra"



Tim Buresh, P.E. from Tutor-Saliba Corp. and Opjit Ghuman, P.E. from Eco & Associates, Inc. discussing “Environmental Issues Related to Real Property”

### Updating your IRWA Membership Information

1. Visit [www.irwaonline.org](http://www.irwaonline.org)
2. Highlight “Resources” in the upper right hand corner and then click on “Membership Directory”.
3. Click on Update Member Profile.
4. Enter your User Name and Password and click on Login. Your User Name is your membership number (contained on your membership card and dues renewal notice) and the Password is your last name. The Password is case sensitive, so ensure you capitalize the first letter and leave the rest in non-caps.
5. Update your information and click on “Submit. A new page will come up and you can choose to “Exit” or “Logout”.
6. That’s it! Your information will be automatically updated on the headquarters master list, which is also the one the Chapter uses for communications. Going forward, Chapter 1 monthly newsletters will be sent out via e-mail so it’s important to ensure your e-mail address is current.
7. If you do not have access to the Internet or have any questions about updating membership information, call Bonnie Gray at 310-538-0233.

**Below are the classes Chapter 1 has scheduled for 2008. If you would like to coordinate a class that you need (and get the class free, close to your work/home, and on a date you select!), please contact Keith Dang, the Education Chair for 2007-2008 at [AFIValuation@aol.com](mailto:AFIValuation@aol.com).**

### [Chapter 1 2008 Education Schedule](#)

Course/Seminar	Date	Location	Coordinator
100 – Principles of Land Acquisition	January 30-Feb 2, 2008	MWD	Lizeth Olague
201 – Comm. In RE Acquisitions	March 3-5, 2008	DPW	Colleen McKenna
SR/WA Comprehensive Ex Review Course	April 2008	SCEC	David Guder
203 – Alternative Dispute Resolution	April 10-11, 2008	Sempra	Mark Bruska
400 – Principles of RE Appraisal	October 6-7, 2008	DPW	Colleen McKenna
502 – Business Relocation	September 4-5, 2008	MTA	Diane Dominguez
600 – Intro to Environmental Issues	September 22, 2008	MTA	Diane Dominguez
803 – Eminent Domain Law Basics	October 23-24, 2008	MWD	Sherman Hom



*International Right of Way Association Chapter 57 – Inland Empire*

*Cordially invites you to join us for the*

*2007*

*Tri-Chapter Installation Luncheon*

*December 4, 2007*

*A Docent Tour at 9:15 a.m. for 30 Guests Only\**

*Luncheon Registration Begins at 10:30 a.m.*

*Networking and Carolers at 11:00 a.m.*

*Luncheon 12:00 p.m.*

*The Mission Inn*

*A National Historic Landmark Hotel & Spa*

*Riverside, California*

*\$50.00 Per Person*

*Luncheon and Installation of 2008 Officers from*

*Chapter 1 – Los Angeles*

*Chapter 57 – Inland Empire*

*Chapter 67 – Orange County*

*RSVP by November 16, 2007*

*To: Val Basinger 951-826-8256*

*or Via e-mail at: [valynda.basinger@bbklarw.com](mailto:valynda.basinger@bbklarw.com)*

*Payment must be received by November 27, 2007*

*Seating is Extremely Limited Requiring Advance Payment.*

*No cancellation or refunds.*

*Make check payable to: IRWA – Chapter 57*

*\* A Docent Tour of The Mission Inn and Mission Inn Museum  
is offered by the Mission Inn Foundation and limited to only 30 guests.*

*One Tour will be offered at 9:15 a.m. only.*

*Mission Inn Tri-Chapter Luncheon*

*Salad*

*Mesclun Field Greens*

*with Yellow and Red Currant Tomatoes and Apple Cider Pancetta Dressing*

*Luncheon Entree*

*Select One Entree on Registration Form Below*

*Peppercorn Crusted Hotel-Cut Chicken Breast*

*with Apple Wood Smoked Bacon, Leeks, Carrots, Pearl Onions and Cabernet Sauce*

*Eggplant and Fontina Cheese Ravioli*

*with Roasted Tomato Basil Sauce and Wild Mushroom Ragù*

*Charbroiled USDA Choice 6 oz. Filet Mignon*

*with Black Pepper Cabernet Sauce*

*Dessert*

*Chambord-Infused Chocolate Decadence*

*with Raspberry Coulis and Chantilly Cream*

*Assorted Rolls and Sweet Butter*

*Freshly Brewed Coffee, Decaffeinated Coffee or Iced Tea*

\*\*\*\*\*

*Please reserve a seat in my name for 2007 Tri-Chapter Installation Luncheon!*

*Name:* \_\_\_\_\_ *Chapter:* \_\_\_\_\_

*Company:* \_\_\_\_\_

*Street Address:* \_\_\_\_\_

*City, State, Zip:* \_\_\_\_\_

*Telephone:* \_\_\_\_\_ *E-mail:* \_\_\_\_\_

*Menu Selection: Beef* \_\_\_\_\_ *Vegetarian* \_\_\_\_\_ *Chicken* \_\_\_\_\_

*Enclosed is my check in the amount of \$50.00 per person.*

*Seating is Extremely Limited Requiring Advance Payment*

*No cancellation or refunds*

*Make check payable to: IRWA – Chapter 57*

*You may also reserve your seat via e-mail to: [valynda.basinger@bbkflaw.com](mailto:valynda.basinger@bbkflaw.com)*



**Register Online** [www.irwaonline.org](http://www.irwaonline.org) or Fax this Entire Page to IRWA: 310-538-1471


Name: \_\_\_\_\_ Title: \_\_\_\_\_ Membership #: \_\_\_\_\_  
Company: \_\_\_\_\_ Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
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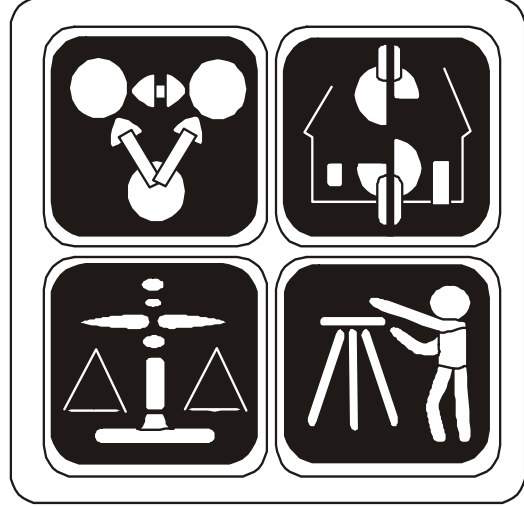
**Registration Fees: Member Amount**

Early Reg: \$500.00 \$ \_\_\_\_\_  
Regular: After 11/8/2007 \$525.00 \$ \_\_\_\_\_  
Exam fee: \$100.00 **Total: (plus exam fee)** \$ \_\_\_\_\_

PRINT NAME AS IT APPEARS ON CARD: \_\_\_\_\_

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Signature: \_\_\_\_\_ Amount to be Charged: \_\_\_\_\_

  
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Harbor Business Center  
19750 South Vermont Avenue, Suite 220  
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Tel: 310-538-0233



  
INTERNATIONAL RIGHT OF WAY ASSOCIATION

# SR/WA Review Study Session

IRWA Course SRWA

December 5-7, 2007

Westminster, CA

Sponsored by Chapter 67

**Course Description:**

This two (2) day seminar is designed to prepare Candidates for taking the SR/WA comprehensive examination by reviewing the seven (7) core disciplines in the right of way profession.

The Comprehensive Exams (United States version), will be administered at the conclusion of the review session, covers the seven (7) core disciplines: Engineering, Law, Negotiation, Valuation, Environment, Relocation, and Asset Management.

Although not required, students are encouraged to take the examination at the conclusion of the study session.

The completion of the education experience or core course requirements do not have to be completed in order to sit for the SR/WA examination.

**IMPORTANT:** The attendance at this Seminar does not guarantee successful completion of the SR/WA examination.

**NOTE:** YOU MUST FILL OUT A SR/WA CANDIDACY APPLICATION FORM AND BE APPROVED BEFORE ATTENDING THIS CLASS. IF YOU HAVE NOT, CONTACT FRANCIS VICENTE AT (310) 538-0233 EXT. 123

**Sponsored By:** Chapter 67

<b>Date</b>	<b>Time</b>	<b>Days</b>
12/05-07/07	8am-5pm	2

**NOTE:** The Review Study Session will take place on 12/5 & 12/6; Exam to be held on the morning of 12/7.

**Location:**

Southern California Edison Company  
7300 Fenwick Lane  
Lars Building  
Westminster, CA 92683  
Phone: (714) 934-0853

**Late Registration Fee of \$25.00 After:**  
11/8/2007

**Accommodations:**

Hotel Huntington  
7667 Center Avenue  
Huntington Beach, CA 92627  
Phone: (714) 891-0123

**Rates:**

Single \$94.00 + Tax

Please contact the hotel directly and mention "King Preferred Corporate Rate." This hotel is located near the classroom facility and is adjacent to shops & restaurants.

**Four Ways to Register:**

**Online:** [www.irwaonline.org](http://www.irwaonline.org)

**Fax:** 310-538-1471

**Phone:** 310-538-0233 x134

**Contact Coordinator**

**Mail to Course Coordinator:**

David Guder  
14799 Chesnut Street  
Westminster, CA 92683  
Phone: (714) 934-0853  
Fax: (714) 934-0849  
Email: [david.guder@sce.com](mailto:david.guder@sce.com)

Please make checks payable to:  
International Right of Way Association

**About the Facilitator:**

**Michael Wolfe, SR/WA**, graduated from Sacramento State University with a degree in Business Administration and earned his "Certificate in Real Estate," and a teaching credential from the University of California, Berkley. He is a Right of Way Agent with Alameda County, California Public Works Agency who began his right of way profession with the California Division of Highways. Mr. Wolfe specializes in the acquisition of real property and real property rights for public use and has acquired real property for Caltrans, as well as for numerous counties, cities, town and districts throughout Northern California. He was selected as a member of the Service Employees International Union bargaining team four consecutive times to help facilitate contracts between the Union and the County of Alameda. Mr. Wolfe has instructed college classes in Public Speaking, as well as several business courses. He is a Certified Instructor of International Right of Way courses in communications, law and acquisition. He was selected in 2004 as the Region One Professional of the Year, and has made presentations at several International Right of Way Education Seminars.

**Cancellation Policy**

*Written notification of cancellation must be received by class coordinator 15 days prior to start of class. A 75% refund will be made if written notification is received less than 15 days prior to start of class. No refund will be made after the start of class. A fee may be charged for registrations received after deadline and for those registering on day of class.*



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