

PRESIDENT'S MESSAGE



During the month of March Chapter 1 hosted a successful luncheon with the Los Angeles Chapter of the Appraisal Institute with Don Sepulveda, Los Angeles MTA (METRO) as the guest speaker. Also in March your president and secretary, Ray Mehler attended the IRWA Region 1 Spring Forum in Tucson, Arizona where we had the pleasure of having Mr. Wayne Goss, the International President-Elect in attendance which was unique for Region 1. Matters at the Spring Forum focused on ensuring chapters have by-laws that are current and aligned with the purpose and expectation of the organization; innovative approaches to right of way curriculum,

updates on how to attract new instructors and retain qualified instructors; and a review of a proposed strategic plan to be voted on in June at the Annual Conference. There continues to be some resistance to change within IRWA to the reduction of monies allocated to travel for conferences and/or meetings. Requests for travel reimbursement are more closely scrutinized and "member-value" activities are emphasized. We were also graced by the attendance of our Chapter 1 past president, Vivian Howell, SR/WA, R/W-RAC, R/W-NAC who seeks our support as a candidate for the IRWA International Secretary. Chapter 1 is hosting their Spring Valuation Seminar on April 28th at the Quiet Cannon in Montebello; and the next chapter luncheon and board meeting is scheduled for May 19th at Steven's.

- Updates from PDC
- Article 1: Study Finds Methane Emissions from U.S. Gas Distribution System
- Article 2: Legal Case of the Month: Michael Yoshiba, Esq.
- Save The Date: Chapter 1 Fall Seminar and Region 1 Fall Forum
- IRWA Appraisal Institute Joint Luncheon: March 17, 2015 @ 11:30 am Stevens Steakhouse, City of Commerce.
- Spring Valuation Seminar Registration: April 28, 2015. Quiet Cannon, Montebello.
- Article 3: Regulatory Update - Single Walled Petroleum Storage Tanks

UPCOMING COURSES

COURSE	DATE/LOCATION	INSTRUCTOR	COORDINATOR
417-The Valuation of Environmentally Contaminated Real Estate	4/15-17/15 Steven's - Commerce	Orell Anderson, MAI	Charles Thomas, SR/WA (626) 302-4186
801-Land Titles	4/30-5/1/15 Steven's - Commerce	Sue Evans	Bill Larsen, SR/WA (818) 290-5428
403-Easement Valuation	5/13/15 Steven's - Commerce	Michael Popwell, SR/WA	Charles Thomas, SR/WA (626) 302-4186
409-Integrating Appraisal Standards	5/14/15 Steven's - Commerce	Jeff Swango, SR/WA	Charles Thomas, SR/WA (626) 302-4186
410-Reviewing Appraisals in Eminent Domain	5/15/15 Steven's - Commerce	Jeff Swango, SR/WA	Bill Larsen, SR/WA (818) 290-5428
603- Understanding Contamination in Real Estate	6/12/15 Steven's - Commerce	Mike Heineke, SR/WA	Charles Thomas, SR/WA (626) 302-4186
900- Principles of Real Estate Engineering	6/25-26/15 Steven's - Commerce	Ralph Brown, SR/WA	Bill Larsen, SR/WA (818) 290-5428

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WOULD YOU LIKE TO KNOW WHAT YOU NEED TO DO TO OBTAIN AN IRWA CERTIFICATION?

Your Chapter Professional Development Committee can help you develop a plan to reach your professional goals leading to the prestigious SR/WA designation or a specialist certification.

Chapter 1 Professional Development Committee members are available to provide guidance and assistance with your career path planning. We want to help you reach your professional goals!

Earning an IRWA Professional Certification or the SR/WA designation could expand your employment opportunities, increase salary potential, boost chances for career advancement and demonstrate your professional commitment.

“The more you see yourself as what you’d like to become, and act as if what you want is already there, the more you’ll activate those dormant forces that will collaborate to transform your dream into your reality.” – Wayne Dyer

Feel free to contact any of the Professional Development Committee Co-Chairs listed below for more information about the IRWA Professional Career Path programs or for questions about the scholarship program or the requirements needed to attain your specific goals for professional development. We’re here to assist you!

Marilyn Stuart, PDC Chair - marilyn.stuart.lb@gmail.com – (702) 250-2865

Gus Parcero - augusto.parcero@lacity.org - (213) 485-5775

Michael Popwell - michael@mpowell.com - (323) 874-2384

Joyce Riggs - jriggs@sbcglobal.net – (805)578-2400

Andrew Thompson - athompson@semprautilities.com - (213) 244-5032

Gary Valentine - gsv@valentineappraisal.com - (661) 288-0198

****GREAT NEWS! IF YOU HAVE NOT USED YOUR 2014 CHAPTER 1 FREE COURSE VOUCHER YOU CAN STILL USE IT THROUGH JUNE 30, 2015!****


The 2014 Free Course Voucher will be valid through June 2015 so plan ahead to take advantage of this great benefit if you have not used it yet. The voucher program has been restructured to concur with the new fiscal year and a new voucher period will begin on July 1, 2015!

This is a wonderful opportunity for all Chapter 1 members to help you fulfill your IRWA educational requirements for certifications, SR/WA designation, or to receive continuing education credit.

If you have not yet taken advantage of this wonderful benefit, there are still many more courses that will be offered this year by the chapter.

How do you use the Free Course voucher? All you need to do is contact the course coordinator of any Chapter 1 sponsored class to register. You will send them your registration form and provide the voucher to them. There is copy of the voucher provided below for your convenience. As long as you are a member in good standing, current on your 2015 IRWA membership dues, and have not yet used the voucher during 2014 or 2015, authorization will be provided to the course coordinator for you to receive the appropriate credit.

Your voucher can be redeemed for a free 1-day Chapter 1 sponsored IRWA class or equivalent credit if applied to the tuition of a multiple day class.



IRWA
LOS ANGELES
CHAPTER 1

IRWA CHAPTER 1

FREE ONE DAY COURSE VOUCHER

THIS VOUCHER IS REDEEMABLE FOR A ONE DAY CHAPTER 1 SPONSORED IRWA COURSE OR EQUIVALENT CREDIT APPLIED TO ONE DAY OF A MULTIPLE DAY COURSE*

***Terms of Voucher Usage:**

- Valid for IRWA Chapter 1 Members for attendance at Chapter 1 Sponsored Courses Only**
- Voucher Use is Limited to the First 10 Enrollees Per Each Chapter 1 Course**
- This Voucher NOT Valid for Online Courses, is NOT Transferrable and has NO Cash Value**
- Course Registration Must be Arranged in Advance Through Course Coordinator**

MEMBER NAME _____

COURSE COORDINATOR SIGNATURE _____

Must be presented to course coordinator at registration - Expires JUNE 30, 2015

More Great News about the Free Course Voucher Program!

The Chapter 1 Free Voucher Program will be offered again for the new fiscal year and all chapter members in good standing as of July 1 will be able take advantage of this awesome program again!

Upon authorization by the course coordinator and PDC chair, **you may attend one more free course** (equivalent to one free day) of Chapter 1 sponsored classes during the 2015/2016 fiscal year, July 1, 2015 through June 30, 2016.

Please note that there have been recent changes to the Right of Way Generalist Career Path

The good news is that the information and all documents with regard to the Generalist Program have been updated on the IRWA website. With the retirement of ARWP Certification, we now have a three-level Generalist Program. The number of credit units of coursework required for each level are as follows:

- RWA Certification – 64 credit units of beginning courses. For details, please see the RWA Program Guide.
- RWP Certification – 80 credit units of beginning, intermediate and/or advanced courses. For details, please see the RWP Program Guide.
- SR/WA Designation – 64 credit units of intermediate and/or advanced courses. For details, please see the SR/WA Program Guide.

Link to Right of Way Generalist Career Path Overview:

<http://www.irwaonline.org/eweb/dynamicpage.aspx?webcode=generalist>

For the list of beginning, intermediate and advanced courses, please see the Course Listing Overview.

https://www.irwaonline.org/EWEB/upload/bundles/2015/Overview_of_IRWA_Courses.pdf

In addition to the Generalist Career Path, IRWA also offers Specialist Certification Programs in six disciplines:

- R/W-AC Appraisal Certification
- R/W-AMC Asset/Property Management
- R/W-NAC Negotiation and Acquisition Certification
- R/W-RAC Relocation Assistance Certification Program
- R/W-URAC Uniform Act Certification Program
- Appraisal Cross Certification Program

Link to Right of Way Specialist Career Path Overview:

<http://www.irwaonline.org/eweb/dynamicpage.aspx?site=IRWA2010&webcode=specialist>

Feel free to contact your chapter PDC if you would like more information



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Study Finds Methane Emissions from U.S. Natural Gas Distribution Systems

It's been a long time coming.

Since the early 1990s, the U.S. Environmental Protection Agency's official estimates of methane emissions from natural gas distribution systems, like SoCalGas', on which the government bases its policies - and people their opinions - were calculated using data from a benchmark study from 1992.



Now, a new study published today in Environmental Science & Technology may change all that.

Washington State University's Laboratory of Atmospheric Research conducted a nation-wide study to update the 23-year old emission factors the U.S. Environmental Protection Agency (EPA) uses to estimate the levels of methane emitted from natural gas distribution systems.

The analysis found emissions from pipelines and metering and regulating (M&R) facilities, the largest sources of emissions within the distribution system, to be 36 to 70 percent lower than earlier estimates.

The researchers credited the dramatic reductions to the significant decrease of leak-prone cast iron and bare steel pipelines; the increase of more resilient plastic and protected steel pipelines; the improvements to key facilities; and better technologies for detecting and repairing leaks. Those elements have been the focus of SoCalGas' maintenance and modernization strategy for the past 20-30 years, which included the elimination of all leak-prone cast iron pipe from the SoCalGas system more than two decades ago.

"SoCalGas recognizes the importance of reducing emissions and these findings validate our long-term efforts to modernize our infrastructure to enhance safety, safeguard reliability and reduce emissions," said Bret Lane, chief operating officer of SoCalGas. "SoCalGas will continue to work with regulatory agencies, researchers and the community to prudently invest resources in our system and protect our environment."

Emissions from SoCalGas' System Among the Lowest

Led by WSU's Regents Professor Brian Lamb, the study provides the most comprehensive set of direct measurements of emissions from the distribution system to date. They estimate that emissions from the distribution system are between 0.1 and 0.2 percent of the natural gas delivered nationwide. Based on data from the study, SoCalGas' natural gas system has among the lowest emissions rates in the country despite it being the largest.

SoCalGas participated in the study to help increase knowledge about methane emissions across the country and to better understand the impact of infrastructure maintenance and modernization efforts.

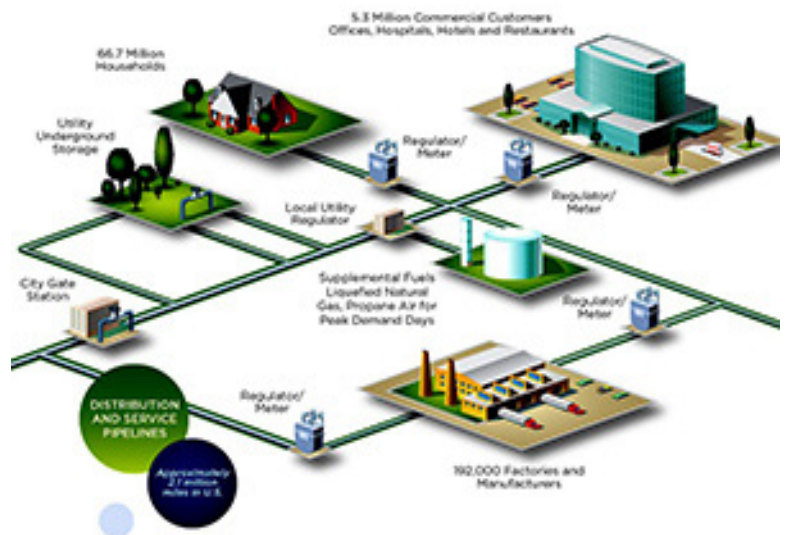
“The importance of this study is that Californians now have better information upon which to base critical decisions about policies shaping our energy and environmental future,” said Deanna Haines, director of gas engineering.

The WSU study provides the most comprehensive set of direct measurements of emissions from local distribution systems nationwide to date. (Source: WSU).

SoCalGas Emissions Efforts Began 30 Years Ago

SoCalGas' voluntary emissions reduction efforts began more than two decades ago - well before any mandatory programs, such as California's Global Warming Solution Act (AB 32), went into effect - and include:

- More than 800,000 tons of emissions reductions: As an original member of EPA's Natural Gas STAR program in 1993, SoCalGas implemented practices resulting in the reduction of more than 800,000 metric tons of carbon dioxide equivalent.
- Eliminated cast iron pipe: SoCalGas eliminated all cast iron pipe from its system more than two decades ago, and established a comprehensive risk-based approach to replacing pipe on its system. Cast iron pipe has been identified with significant leak issues in other regions in the U.S.
- Modernized infrastructure: SoCalGas replaced pre-World War II transmission pipe, updated its metering and regulating facilities and modernized its distribution system with plastic pipe. The company will invest \$6 billion over the next five years to maintain and improve safety, reliability and service to its customers.
- Leak surveys: SoCalGas regularly monitors emission levels from transmission, distribution and gas storage facilities in compliance with federal and state regulations and requirements.



The study was supported by the Environmental Defense Fund, 13 major natural gas utilities, including SoCalGas, and engineering and environmental consulting firms. The researchers took direct measurements in multiple cities from 230 randomly selected, representative underground pipelines and 229 stations where natural gas is measured and regulated.

The participating natural gas utilities own and operate 19 percent of the nation's distribution pipeline mileage and account for 16 percent of the total gas delivered to customers in 2011.

To learn more about the study visit: <http://methane.wsu.edu>.

Submitted by Mangione Mitchell

Case of the Month

March 2015

A Primer on the Joys [and Travails?] of Condo Living

Ryland Mews Homeowners Association, Plaintiff and Respondent, V. Ruben Munoz, Defendant and Appellant
(February 20, 2015, Sixth District, 2015 S.O.S. 1065)

This appellate court case illustrates just how complicated, or petty, living in a condominium complex can be for adjoining neighbors.

I. BACK-STORY

The Munoz' are a nice couple living the American dream. They successfully completed a purchase and move into a second-story condominium unit in Santa Clara County. When they completed the purchase, they replaced the existing carpets with hardwood floors to accommodate the spouse's severe dust allergy. Soon thereafter, the occupants of the first-floor unit directly below complained about that, "[T]he noise from upstairs at all hours of day and night became 'greatly amplified' and 'intolerable' so that [the lower unit owners] Cruz and Yborra found it difficult to relax, read a book, watch television, or sleep." The property management services firm for the Association ("HOA"), notified the Munoz' that their alteration of the flooring appeared to have been made without prior approval of the HOA. A legal dispute ensued and the HOA sued the Munoz'.

II. ANALYSIS

The HOA brought a lawsuit seeking an injunction and declaratory relief, alleging that the Munoz' had violated the restrictions applicable to all residents at the time of the floor installation. The HOA sought a preliminary injunction, "restraining and enjoining" the Munoz' from "[m]aintaining hardwood flooring" and from violating other HOA restrictions. The lower unit owners, Cruz and Yborra, signed declarations alleging that without the requested injunction they would continue to suffer "great and immediate irreparable harm in that [Munoz'] hardwood floors create an acoustic nuisance, both violating the neighboring owner's sense of quiet enjoyment, but also [sic] reducing property values for all owners within the Association." In response, the Munoz' submitted declarations describing the spouse's medical condition. The Munoz' also stated that they had received no complaints about noise between the time of installation.

After about 18 months of litigation, the trial court filed its order granting the HOA a preliminary injunction as follows:

[The Munoz'] shall reduce undue transmission of acoustic trespass or nuisance from the subject unit in violation of the governing documents. Such transmissions shall be reduced as follows: . . . 80% of the total flooring area, other than kitchen or bathrooms[,] must be covered with throw rugs or comparable sound[-]dampening material, in particular those areas with heavy travel such as hallways. . . . [The Munoz'] shall present to the Ryland Mews Homeowners Association, through its Board of Directors or design review committee, a proposal for modification to the existing floor covering, such proposal to be within the specific approved guidelines and specifications for floor covering modifications established by the Association. The modification proposal had to be submitted within 30 days. If [the HOA] rejected the proposal in good faith, based on the Association's architectural standards, [the Munoz'] then had an additional 15 days to supplement or revise his proposal. If [the Munoz'] plans were approved, [the Munoz'] had 15 days thereafter to initiate construction of the modifications and 60 days to complete the construction. [The Munoz'] then were required to notify the Association and "cooperate with a compliance inspection."

The Munoz' challenged the validity of the trial court's issuance of the preliminary injunction, but lost. The appellate court weighed two factors: (1) the likelihood that the moving party will ultimately prevail on the merits and (2) the relative interim harm to the parties from issuance or nonissuance of the injunction. The trial court was found to not have exceeded the bounds of reason or contravened the uncontradicted evidence.

A small sampling of the joys and travails that await those who choose condominium living.

Submitted by Michael F. Yoshiba, Esq.



Save the Dates: Chapter 1 Fall Seminar & Region 1 Fall Forum

What: Chapter 1 Fall Seminar

When: Friday, October 9, 2015 8:30 a.m. – 5:00 p.m.

Where: Sheraton Pasadena Hotel, 303 Cordova St., Pasadena, CA 91101*

Details: Seminar to feature various speakers on current topics for Right of Way Professionals. Continuing education credits will be available.



What: Region 1 Fall Forum

When: Friday evening (Mixer) and Saturday, October 9 – 10, 2015

Where: Sheraton Pasadena Hotel, 303 Cordova St., Pasadena, CA 91101

What to do in Pasadena

Within walking distance or short taxi/Uber -- Norton Simon Museum, Pasadena Playhouse, Huntington Library, Botanical Gardens, Asian Pacific Museum, Paseo Colorado Mall, Old Town Pasadena and restaurants galore!



For additional details:

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*Location pending final contract.





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IRWA AND SCCAI JOINT LUNCHEON AND PROGRAM "Regional Rail Planning in Los Angeles County - The Process, Projects in Planning and Timelines"

LOCATION:

Steven's Steak House
5332 Stevens Place
Commerce, CA 90040

DATE:

March 17, 2015

TIME:

Check-in and
Networking
11:30 am
Lunch and Program
12:00pm

COST:

\$15.00

Free Parking

TOPIC:

Don will discuss the studies that go into choosing regional rail routes, the projects that are currently in planning and at what time frame each is projected to occur. If there is time he will also discuss the proposed High Speed Rail southern portion that is being fast tracked. These projects will each impact the city we live in. They are especially of interest to right of way professionals who are tasked with obtaining the routes needed to make the new transit lines a reality.

SPEAKER:

Don Sepulveda is the Executive Officer - Regional Rail for the Los Angeles County Metropolitan Transportation Authority. He leads the team responsible for Metro's involvement with high speed rail in Los Angeles County, management of the Metro owned commuter rail right-of-way, and Metro's involvement with Metrolink, Amtrak and coordination with the freight railroads. Prior to joining Metro, Don has worked in the private sector as a project manager for railroad infrastructure projects throughout Southern California and other parts of the United States. Don has been working on the high speed train system in California, in one capacity or another, since 1995. In addition to his work in railroad infrastructure, Don has led numerous railroad safety projects

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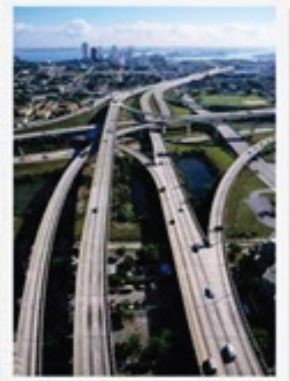
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ANNUAL VALUATION SEMINAR

Tuesday, April 28, 2015

*Quiet Cannon Montebello
901 North Via San Clemente, Montebello (TG 636-A7)*



SEMINAR SCHEDULE

7:45 AM Registration/Continental Breakfast

8:20 AM Welcome & Introductions

Bradford D. Thompson, MAI, AI-GRS, SR/WA
Seminar Co-Chair
William Larsen, SR/WA
Seminar Co-Chair

8:30 AM Agricultural Highest and Best Use - Butter, Margarine or a KB Home?

Robert S. Purdue, MAI, SR/WA
Perdue & Russell Real Estate Appraisal
David Girbovan, ASA
Girbovan, Inc.
Rick Rayl, Esq.
Nossaman LLP

9:35 AM Effectively Educating a Jury on a Just Compensation Case - RCTC vs. Laurel Palms Apartments

Scott Ditfurth, Esq.
Best Best & Krieger LLP
Bradford Thompson, MAI, AI-GRS, SR/WA
Mason & Mason

10:20 AM Break

10:40 AM Fishback v. County of Ventura - Closing the County's Largest Illegal Dump Site

Robert Ceccon, Esq.
Richards, Watson & Gershon
Saskia Asamura, Esq.
Richards, Watson & Gershon
Michael Yoshiba, Esq.
Richards, Watson & Gershon

11:45 PM Luncheon Keynote Address:

The Quest for Entitlements and their Impact on Values

Patrick Spillane
IDS Real Estate Group
David Zoraster, MAI
CBRE

1:15 PM What You May Not Know About Temporary Construction Easements: Ignorance is Not Bliss

David Graeler, Esq.
Nossaman LLP
Artin Shaverdian, Esq.
Nossaman LLP

2:05 PM Using Pretrial Motions to Address Appraisal Problems

A.J. Hazarabedian, Esq.
California Eminent Domain Law Group
Scott Delahooke, MAI
Delahooke Appraisal Company

2:55 PM Break

3:20 PM Interim Business Losses

Jennifer McClure, Esq.
Murphy & Evertz
Emily Madueno, Esq.
Murphy & Evertz
Donna Desmond, ASA
Donna Desmond Associates

4:30 PM Close

Approved - International Right of Way Association for SR/WA Re-certification Credits (SR/WA) 7.5 Course Hours, 100% seminar attendance is required

Applications will be submitted for approval of 7.5 hours of MCLE credit and 7.5 hours of BREA (formerly OREA) credit. 100% seminar attendance will be required for each.



Space is Limited
Please Register Early

ANNUAL VALUATION SEMINAR
REGISTRATION FORM

Name _____ Chapter No.: _____
Firm _____ Member No.: _____
E-mail _____
Address _____
Phone _____ Fax _____

Continuing Education (CE) Credit Needed? ___ Yes ___ No

Type of CE Certificate Needed: ___ BREA ___ MCLE ___ SR/WA Recertification
California State Bar No.: _____ (If applicable)
California Appraisal License No.: _____ (If applicable)

Seminar Registration Fees include luncheon.

Please choose MENU OPTION: ___ Beef; ___ Chicken; ___ Vegetarian

Advance registration (if fee received on or before 4/03/15):

___ \$95 Member; ___ \$105 Non-member

Registration fees received **after 4/03/15**:

___ \$110 Member; ___ \$120 Non-member

Lunch Only: \$25

Make check payable to **IRWA Chapter 1** and send to:

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Refund Policy

Any refund requests must be in writing.

50% of the registration fee may be retained if the cancellation notice is postmarked less than 10 days before the program.

Payment is by check only. If you have any questions regarding seminar registration, please contact **Amy Washburn** at awashburn@irr.com

If you have any questions regarding speaker panels or seminar content, please contact Seminar Co-chairs

William Larsen, SR/WA or **Bradford D. Thompson, MAI, AI-GRS, SR/WA**
wlarsen@irr.com bthompson@mason2.com

Regulatory Update

Single Walled Petroleum Storage Tanks



From the early 1900s to the late 1980s, petroleum underground storage tank (UST) installations were usually of single-walled construction, and were placed underground to save on space and provide safety against fires and explosions. Typically these USTs consisted of bare steel which over time corrodes and may eventually allow for petroleum to leak. Leakage causes site contamination which if extensive can impact soil, groundwater and site occupants.

Upgrading of single-walled USTs into double-walled USTs was required by past environmental laws for most USTs but certain single-walled USTs were allowed to remain in place if upgraded

with features that enhanced leak detection and prevention. With the signing of Senate Bill No. 445 (SB445) in September 2014, all single-walled USTs must be permanently closed no later than December 31, 2025.

Owners and Operators of single-walled USTs can get financial assistance through the Replacing, Removing, or Upgrading Underground Storage Tanks (RUST) program, with grants between \$3,000 and \$70,000 (available funds limited). Eligibility can take considerable time; two or more years to become eligible for cleanup funds and 5 to 10 years to complete the cleanup.



The take away for Right of Way Professionals is:

- If dealing with a property that has single walled USTs be aware that there is a requirement that they be removed.
- Significant clean-up costs may exist beyond the normal cost of removing the USTs.
- Limited funding is available if you act before grant funds are used up.
- Extra time may need to be added to your schedule to address this environmental concern.

If you would like additional information please contact Norman Eke, IRWA Chapter 1 President Elect and Environmental Chair, at 626-930-1260 or neke@converseconsultants.com.



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