



MONTHLY
Bundle of Writes

NEWS AND EVENTS FOR IRWA CHAPTER 67

OCTOBER 2019

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**PRESIDENT'S
MESSAGE**

Amanda Fitch

Mobilitie

afitch@mobilitie.com (714) 325-8649

Hello Chapter 67 Members and Friends!

I am looking forward to an exciting 2019-2020 year as your new President. I will try my hardest to step into the big shoes Past President Alyson Suh left me to fill!

We aren't letting Alyson completely off the hook this year, as she has stepped into the role as our Newsletter and Communications Chair. We have this beautiful revamped newsletter thanks to her taking the time to work with our web designer, Christy Porter. Please also be sure to check out our newly designed website where you can find a list of board members, upcoming events, pictures from past events, job opportunities and more. www.irwa67.org.

You will notice on our website, the Board Member contact information has been removed. This was done due to an uptick in phishing scams throughout IRWA member emails. It was therefore suggested by IRWA HQ to remove all contact information from our publicly accessible websites. If you have any questions for myself or the board, we can be reached at info@irwa67.org. As a reminder in this digital age – always be aware of the emails you open, read and act upon! Always confirm sender emails and second guess sending any form of money in a response to an email request!

P R E S I D E N T



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Thank you to everyone who joined us for our first luncheon in September. Thomas Donahue gave an informative and entertaining recap of his years of hard work on the development in Ontario. We had a great turn out and hope to continue the momentum at our November luncheon in which we have Jonis Smith,, PE, CFM, of Dudek presenting on right-of-way for flood control.

If you have a topic or speaker you would enjoy seeing at one of our luncheons, please reach out to myself or President Elect Meredith McDonald. Finding speakers for luncheons has always proven to be one of the more difficult jobs for board members, so we are always welcoming new suggestions.

In regional news, President Elect Meredith McDonald and myself attended the annual Region 1 Fall Forum in Santa Barbara recently. It was a great opportunity to meet the incoming leadership from other Chapters and a chance to get an update from our Region 1 Leaders.

Judy Jones, SR/WA, the newly elected Secretary of the International Governing Council for IRWA was in attendance and provided an update which included the hiring of Sterling Search Firm to assist IRWA in finding a new CEO. The theme at Headquarters seemed to be “transparency” to the membership when it comes to hired staff, funding, education and everything in between. It seems like the new leadership is off to a great start to the year. If you have any questions or want to discuss the topics that were brought up during our Spring Forum, please do not hesitate to ask myself or Meredith. We would be happy to go over all items. Our next Forum will be held in Fresno in March where I plan on nominating our beautiful new newsletter for Newsletter of the Year!

Thank you for reading! I hope you all have a wonderful start to the fall, and I will see you all on November 12 at the Holiday Inn/ Santa Ana.



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Welcome back readers to the October edition of our newsletter. If you would like to contribute content to the newsletter, advertise, have questions or any ideas to improve the content, please contact me.

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UPCOMING EVENTS

November Luncheon

Mr. Jonis Smith, PE, CFM, a hydrology engineer with Dudek, will be speaking on a historical right-of-way for a flood control channel extending through Laguna Beach.

DATE/TIME

November 12, 2019
 11:30 AM - 1:00 PM

[Click here to Register](#)

LOCATION

Santa Ana/ Airport
 Holiday Inn
 2726 S. Grand Avenue
 Santa Ana, CA 92705

Tri-Chapter Luncheon

IRWA Chapter 57 will be hosting the 2019 Tri-Chapter Luncheon

DATE/TIME

December 11, 2019
 11:00 AM - 2:00 PM

[Click here to Register](#)

LOCATION

Mission Inn
 3649 Mission Inn Ave
 Riverside CA 92501

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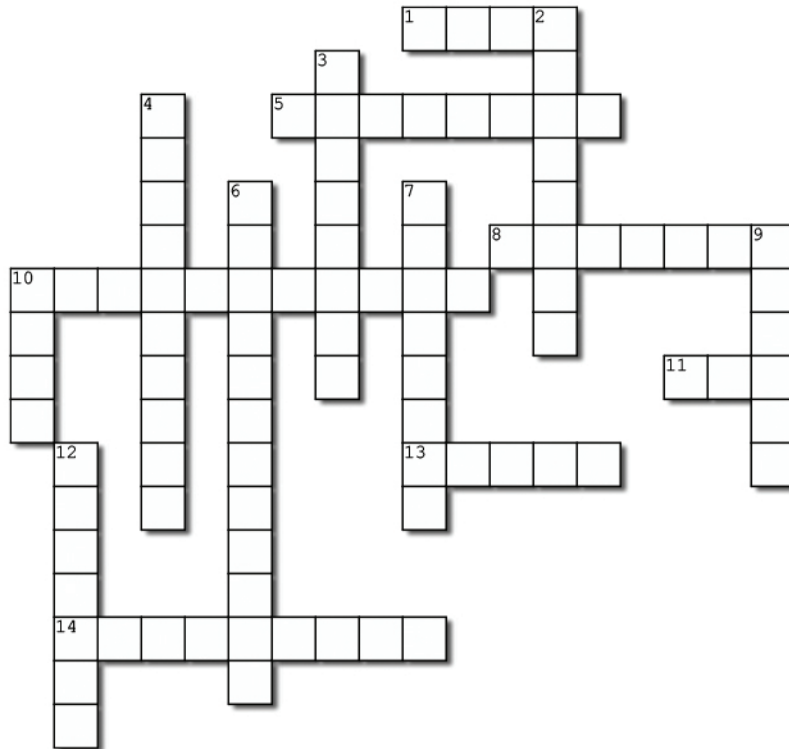
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FOR FUN

Chapter 67 Crossword

Complete the crossword puzzle below. The first person to send a correctly completed puzzle to asuh@wss-law.com will win a free ticket to the next luncheon!



Created using the Crossword Maker on TheTeachersCorner.net

Across

- 1. Current IRWA International President
- 5. CA Department of Transportation, i.e.
- 8. Dracula is one of these
- 10. Native berry in Buena Park
- 11. Primary power provider in Orange County (for short)
- 13. Orange County Native, the 37th President
- 14. Evening before the Christian holy days of All Hallow's Day

Down

- 2. Orange County Seat (city)
- 3. Right to cross or otherwise use someone else's land
- 4. Orange County's only Mission, San Juan _____
- 6. Exercising of the right of eminent domain
- 7. Location of the 2019 International Conference
- 9. Land that is leftover, broken off, sold separately
- 10. Night flying mammals
- 12. Ch. 67's September Luncheon Speaker



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EDUCATION

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For questions regarding IRWA education, whether it be information on a particular course, how to register, potential upcoming courses, or the credentialing program, please reach out to James.



COURSE 800

Principles of Real Estate Law

This course is designed to build on the basics of real estate law provided by Course 100 "Principles of Land Acquisition" and to assist right of way agents, property managers and others in collaborating with property owners and attorneys. This introductory level course provides novice employees dealing with real estate issues with basic right of way information and experienced employees with a broader perspective on legal issues and applicable law.

DATE/TIME

January 21-22
8:00 AM - 5:00 PM

LOCATION

Quail Hill Community Center
39 Shady Canyon
Irvine, CA 92603
(949) 724-6620

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[Download Course Flyer](#)



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ARTICLES

DRONE USE BEST PRACTICES

By Mike Golebiowski, Esq., of Topographic Land Surveyors
and TC Turner, Esq., Partner, Houston office of Kean Miller

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M. Golebiowski

Many of us have had the pleasure of participating in golf tournaments where a drone demonstration takes place. Typically, the drone takes flight carrying your team's golf balls and attempts to score a hole in one. It's rare the drone scores an ace; generally you're left with a tap in for eagle. This is a good example of the misconceptions of the capabilities of drones, which are examined in this article via the historical context of the use of drones in surveying while highlighting the most effective uses of the technology.

Drones and their predecessors have used photogrammetry as a form of survey since at least 1937 when Talbert "Ted" Abrams founded the Abrams School of Aerial Surveying and Photo Interpretation. Photogrammetry is the science of making reliable measurements using photographs, especially aerial photographs (as in surveying). The foremost advantage of using photogrammetry via drone is the ability to capture the topographic features and conditions of an area. However, photogrammetry does not provide accurate measurements as any visibility constraints will hinder

the line of sight of the camera. Thick tree canopy, heavy vegetation, rainfall or snowfall can render your photogrammetric survey useless.

Another popular type of survey conducted via drone involves the use of Lidar. Developed in the 1960s, light detection and ranging (lidar) measures distances via laser pulses to a target object and analyzes the reflection. Lidar technology is clearly superior to photogrammetry in challenging conditions and continues to rapidly develop. However, Lidar is not x-ray vision that can "see" through dense foliage and is thus not a panacea.



TC Turner

Our clients' most successful use of drones centers around accurately documenting the condition of their assets. A prudent pipeline operator will use a drone to record the condition of its property in its native, pre-construction state, and then repeat the process post-construction. This can reduce and potentially eliminate frivolous liability claims. Additionally, required above-ground storage tank inspections as well as powerline inspections can be more efficiently conducted with drone technology, making this work safer

and less time consuming. Finally, topographic surveying is similarly well suited to drone technology.

It is our opinion that drones should not be used in land title surveys, which are more detailed than traditional surveys and are generally used for title insurance purposes. Land title surveys require all of the talent and experience a Registered Professional Land Surveyor has gained throughout his career to interpret the deed record and the prior surveyors' markings as such survey establishes the physical, on the ground, perimeters of a property. This includes the location and boundaries of easements, and evidence of any possibility of prescription or limitation title rights, as well as all improvements contained within the property. Accordingly, due to the above-listed issues with accuracy, a drone is arguably insufficient for land title survey purposes.

The next time you're putting for eagle, you can blame photogrammetry and lidar. They are quite useful in their own right, but are not an accurate replacement for an on the ground survey. However, due to Moore's law, drones with sufficient accuracy to conduct a land title survey for insurance industry purposes may be closer than we think.

Mike Golebiowski is an attorney who works in variety of different roles as the Regional Business Development Manager at Topographic Land Surveyors. He has worked in-house in corporate real estate and right-of-way with expertise managing major capital projects. During his time as a practicing attorney Mike gained extensive experience in due diligence and acquisition, title examination, curative, and drafting of documents affecting real property. He is currently licensed in the States of Texas and North Dakota. Mike is an active member of the IRWA Chapter 8. He can be reached at Michael.Golebiowski@topographic.com.

TC Turner is a partner in the Houston office of Kean Miller. His Energy and Natural Resources practice involves transactional, land title, operational, and regulatory matters. He is routinely involved in the full life cycle of a prospect, from initial due diligence and acquisition, to title examination, curative, operations advisement, and final divestiture. T.C.'s clients include large oil and gas producers, environmental service companies, mineral and royalty buyers, renewable energy companies, and pipeline operators in TX, NM, LA and WY. If it involves complex real property issues, T.C. is involved. An active writer, he is Assistant Chairman of the AAPL Publications Committee. He can be reached at tc.turner@keanmiller.com.



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THE NOSSAMAN REPORT

Nossaman, LLP is the IRWA's advocacy partner and writes weekly updates. In case you missed this week's update, we've included it below.

If you would like to see past advocacy updates, please [click here](#).

The White House

The Administration essentially threw in the towel this week on getting a large infrastructure package enacted in the near future. Larry Kudlow, director of the White House National Economic Council, said that the Administration's focus is on streamlining the environmental review and permitting process and that project sponsors should look elsewhere for project funding. <https://www.timesunion.com/news/article/White-Housesays-infrastructure-projects-should-14554288.php>

Congress

Both Chambers are in session this week.

While the House continues to advance its impeachment inquiry, Congress is again on the edge of a government-funding cliff. Under the continuing resolution ("CR") enacted prior to the September 30th fiscal year deadline, government funding now expires on November 21st. <https://www.govexec.com/management/2019/10/congress-appearsheaded-another-stopgap-spending-bill-avoid-shutdown/160878/>

Analysis

A CR to fund the government past the November 21st deadline is much more likely than passing each appropriations bill individually, but the bigger question is how impeachment politics play into this government funding battle. While Speaker Pelosi and Leader McConnell are both dealmakers and have a history of looking past political discord to work together on other legislation, the impeachment inquiry is in a category unto itself. And this funding solution is not up to Pelosi and McConnell, alone, as the President will need to sign whatever Congress sends to him. With roughly three weeks to go before funding expires, Congress will need to begin negotiating an extension or some other larger funding package soon to avoid a jam before Thanksgiving.

Kudlow's comments make explicit what most in the industry have seen as the norm for some time now. While the Administration has made significant strides towards improving the federal environmental review and permitting process, enacting comprehensive infrastructure legislation that achieves the President's \$2 trillion goal seems unrealistic, at best, in the current environment.



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MEMBER NEWS

IN MEMORIAM

STEPHEN M. ZAMUCEN



It is with deep sympathy that we share the news of the passing of Stephen M. Zamucen, CPA, CVA, CFE, ABV, CFF, CGMA, MBA. Stephen was born on August 24, 1950 in Oakland, California. Stephen died on September 14, 2019.

Stephen was a devoted husband and father. He leaves behind his beloved wife of 37 years, Sheila, and three adoring children, Andrea, Olya, and Eric.

Stephen's main purpose in life was taking care of those he loved and staying fit. Stephen spent countless hours raising money for charities close to his heart. He loved sports and enjoyed swimming, running, tennis, skiing, and competing in triathlons.

Not only did Stephen keep his body fit, he did so also with his mind. He received his bachelor's degree from UC Santa Barbara and his MBA with an emphasis in Finance from Santa Clara University. He acquired many credentials and published several books, becoming well respected in the field of forensic accounting.

Stephen was a CPA and started his own firm over 35 years ago. His areas of concentration included Forensic Accounting,

Economic Damages, Business Valuation, Fraud Investigation and Mergers & Acquisitions consulting. He was a recognized expert witness in these areas.

Stephen has achieved the American Institute of CPA's designation and Accredited in Business Valuation (ABV). He is also a Certified Valuation Analyst (CVA), a Certified Fraud Examiner (CFE), a Certified Financial Forensics (CFF), and a Chartered Global Management Accountant (CGMA).

Stephen has been an instructor for the University of Irvine, Extension Program, California State University Long Beach, Extension Program and numerous Bar and CPA Programs throughout the past 20 years.

Stephen was an active member of Chapter 67.

Our condolences go out to his family and friends. Memorial donations in memory of Stephen can be made to The Leukemia and Lymphoma Society and The UCLA Multiple Sclerosis Program under the direction of Dr. Rhonda Voskuhl.

HIGHLIGHTS FROM THE SEPTEMBER LUNCHEON

