

---

*Supplemental Filing*

**Response to Data Requests  
1 through 80**

In support of the

**Application for Certification**  
for the

**Sun Valley Energy Project**

Romoland, California

(05-AFC-03)

Submitted to the:  
**California Energy Commission**

Submitted by:  
**Valle del Sol Energy, LLC**  
A wholly owned subsidiary of



With Technical Assistance by:



Sacramento, California  
April 2006



# Contents

---

| Section  | Page      |
|--|-----------|
| <b>Contents</b> .....  | <b>i</b>  |
| <b>Introduction</b> .....  | <b>v</b>  |
| <b>Air Quality (1-30)</b> .....  | <b>1</b>  |
| DR 1 Carbon Monoxide Re-Designation.....                                     | 1         |
| DR 2 Emission Reduction Credits and Offsets.....                             | 1         |
| DR 3 Option Contracts.....   | 1         |
| DR 4 ERC Status Report .....   | 1         |
| DR 5 Priority Reserve.....   | 2         |
| DR 6 Fine Particulate Matter (PM <sub>2.5</sub> ) Mitigation.....            | 3         |
| DR 7 Priority Reserve for (PM <sub>2.5</sub> ) Mitigation.....               | 3         |
| DR 8 Local Mitigation Opportunities.....                                     | 3         |
| DR 9 Sulfur Oxides (SO <sub>x</sub> ) RECLAIM Status Report .....            | 3         |
| DR 10 Sulfur Oxides (SO <sub>x</sub> ) RTCs .....                            | 4         |
| DR 11 Oxides of Nitrogen (NO <sub>x</sub> ) RTCs .....                       | 4         |
| DR 12 Sulfur Oxides (SO <sub>x</sub> ) RTC Market .....                      | 4         |
| DR 13 Startup Emissions .....  | 4         |
| DR 14 Shutdown Emissions.....  | 4         |
| DR 15 Modeling Analysis Input.....   | 5         |
| DR 16 Revised Analysis.....  | 5         |
| DR 17 Turbine Commissioning Procedures .....                                 | 5         |
| DR 18 Commissioning Emissions .....  | 6         |
| DR 19 Baseload Operation .....   | 7         |
| DR 20 Emissions Limits .....   | 7         |
| DR 21 Fuel Sulfur Content .....  | 7         |
| DR 22 Fuel Sulfur Limit.....   | 7         |
| DR 23 Sulfur Limit Compliance .....  | 8         |
| DR 24 Ultra-Low Sulfur Diesel.....   | 8         |
| DR 25 Emissions Using Ultra-Low Sulfur Diesel .....                          | 8         |
| DR 26 Text File.....   | 8         |
| DR 27 Cumulative Impacts Analysis.....                                       | 9         |
| DR 28 List of Projects .....   | 9         |
| DR 29 Cumulative Impacts Modeling.....                                       | 9         |
| DR 30 Offsets Required .....   | 9         |
| <b>Biological Resources (31-45)</b> .....                                    | <b>11</b> |
| DR 31 Western Riverside County Multi-Species Habitat Conservation Plan ..... | 11        |
| DR 32 WRCMSHCP Compliance .....  | 11        |
| DR 33 WRCMSHCP Fees .....  | 12        |

|  |  |           |
|--|--|-----------|
| DR 34  | Stephens’ Kangaroo Rat HCP.....                      | 12        |
| DR 35  | Stephens’ Kangaroo Rat HCP Compliance Schedule ..... | 12        |
| DR 36  | Habitat Conservation Agencies .....                  | 12        |
| DR 37  | Habitat Conservation Agencies .....                  | 12        |
| DR 38  | Biological Surveys.....                              | 13        |
| DR 39  | Burrowing Owl Mitigation Measures .....              | 13        |
| DR 40  | Impact Acreage.....                                  | 14        |
| DR 41  | Impact Acreage.....                                  | 14        |
| DR 42  | Riverside County Ordinance 663.10.....               | 15        |
| DR 43  | Aquatic Resources Surveys.....                       | 15        |
| DR 44  | Corps of Engineers Correspondence.....               | 15        |
| DR 45  | BRMIMP Outline.....                                  | 15        |
| <b>Cultural Resources (46-56).....</b>         |  | <b>17</b> |
| DR 46  | Riverside County LORS .....                          | 17        |
| DR 47  | DPR-523 Forms.....                                   | 17        |
| DR 48  | Technical Reports.....                               | 17        |
| DR 49  | Archaeological Survey.....                           | 18        |
| DR 50  | Architectural Survey.....                            | 20        |
| DR 51  | Aerial Photographs and Topographic Maps.....         | 22        |
| DR 52  | Native American Consultation .....                   | 22        |
| DR 53  | Native American Concerns.....                        | 23        |
| DR 54  | Off-Site Project Areas.....                          | 23        |
| DR 55  | Excavation Depths .....                              | 23        |
| DR 56  | Cumulative Impacts.....                              | 24        |
| <b>Land Use (57-60) .....</b>                  |  | <b>25</b> |
| DR 57  | Planned Uses.....                                    | 25        |
| DR 58  | Lot Lines .....                                      | 25        |
| DR 59  | Grant Deed and Title Report .....                    | 25        |
| DR 60  | Access Route .....                                   | 25        |
| <b>Public Health (61-62) .....</b>             |  | <b>27</b> |
| DR 61  | Sensitive Receptors .....                            | 27        |
| DR 62  | Cancer Risk Assessment.....                          | 27        |
| <b>Socioeconomics (63).....</b>                |  | <b>29</b> |
| DR 63  | Economic Estimates .....                             | 29        |
| <b>Traffic and Transportation (64-65).....</b> |  | <b>31</b> |
| DR 64  | Junipero Road Improvements .....                     | 31        |
| DR 65  | School Bus Routes .....                              | 31        |
| <b>Visual Resources (66) .....</b>             |  | <b>33</b> |
| DR 66  | Large-Format Prints.....                             | 33        |

|   |           |
|---|-----------|
| <b>Visual Plume Analysis (67-75)</b> .....  | <b>35</b> |
| DR 67 Visible Plume Modeling Results .....  | 35        |
| DR 68 Meteorological Data Files .....       | 35        |
| DR 69 Data Files .....                      | 35        |
| DR 70 Cooling Tower Operating Values.....   | 36        |
| DR 71 Plume Mitigation.....                 | 37        |
| DR 72 Cooling Tower Make and Model .....    | 37        |
| DR 73 Vendor’s Fogging Frequency Curve..... | 37        |
| DR 74 Cooling Tower Cell Operation.....     | 37        |
| DR 75 Cooling Tower Fan Motors .....        | 38        |
| <br>  |           |
| <b>Waste Management (76-80)</b> .....       | <b>39</b> |
| DR 76 Investigation Protocol.....           | 39        |
| DR 77 Waste Quantities.....                 | 39        |
| DR 78 Recycling Goals.....                  | 40        |
| DR 79 Licensed Transporters.....            | 40        |
| DR 80 Containment Margin.....               | 40        |



# Introduction

---

Attached are Valle del Sol Energy's, LLC's (VSE's), responses 1 through 80 for the Sun Valley Energy Project (SVEP) (05-AFC-03). The CEC Staff served these data requests on March 15, 2006, as part of the discovery process for the SVEP project. The responses are grouped by individual discipline or topic area. Within each discipline area, the responses are presented in the same order as CEC Staff presented them and are keyed to the Data Request numbers (1 through 80). New or revised graphics or tables are numbered in reference to the Data Request number. For example, the first table used in response to Data Request #15 would be numbered Table DR15-1. The first figure used in response to Data Request #28 would be Figure DR28-1, and so on. This set of responses incorporates an exception to this rule for Figures 8.13-2, -3, and -4 (see Visual Resources and Data Request #66). These figures have the same numbers as in the Application for Certification (AFC) because we are providing an enlarged print of the same figures from the AFC, and not a revision of those figures.

Other supporting information in response to a data request (supporting data, stand-alone documents such as plans) is found at the end of a discipline-specific section as numbered attachments. These additional pieces of information are not sequentially page-numbered consistently with the remainder of the document, but may have their own internal page numbering system.



# Air Quality (1-30)

---

## Carbon Monoxide Re-Designation

1. *Please provide a status report of the CO re-designation at the District, the California Air Resources Board (CARB) and the United States Environmental Protection Agency (USEPA), and the dates and a schedule of critical milestones (e.g., resolution to proceed with the request by the District Governing Board, the District re-designation request to CARB, the re-designation request from CARB to the US EPA, and a decision by the US EPA).*

**Response:** A representative of VSE met with USEPA on March 1, 2006, to indicate support for the re-designation request, and inquire about the status of the request. At this time, the District and CARB have submitted to USEPA all the information that USEPA believes is required for it to proceed with approval of the re-designation request. The final submittal from CARB to USEPA occurred on March 2, 2006. Our understanding is that USEPA is finalizing its review of the re-designation request, and commencing the rulemaking process, which will include publication of a proposed rulemaking in the Federal Register, solicitation and response to comments, and publication of a final rulemaking in the Federal Register. This process is expected to take a minimum of six months. We suggest that Staff, as a sister agency, request periodic status reports on the re-designation directly from CARB. VSE appreciates any updates from Staff regarding this issue.

## Emission Reduction Credits and Offsets

2. *Please identify ERCs owned by the applicant or any affiliate that the District might require to be surrendered as a condition for participation in the Priority Reserve. Please include the ERC number, the pollutant type and amount in pounds per day, and ERC source location and name.*

**Response:** At this time VSE has not reached any agreement with sellers of Emission Reduction Credits (ERCs) for any pollutant proposed to be included in the District Priority Reserve rulemaking. However, we urge Staff to rely on the Preliminary Determination of Compliance (PDOC), which will demonstrate how the SVEP would comply with all District Rules including those requiring offsets.

## Option Contracts

3. *Please provide option contracts and/or evidence of acquisition of ERCs for the CO, SO<sub>x</sub>, VOC, and PM<sub>10</sub> liability of the project.*

**Response:** At this time, while VSE has continued to pursue negotiations for ERCs, no agreements have been reached. See Response to Data Request #2 above.

## ERC Status Report

4. *If the applicant is unable to adequately respond to the Data Request above, please provide a status report starting May 1, 2006 and continuing monthly until the report identifies option contracts and/or evidence of acquisition of ERCs for the CO, SO<sub>x</sub>, VOC and PM<sub>10</sub> liability of the project, or the start of the project Air Quality Evidentiary Hearings. The report should be*

*specific to each pollutant and provide new information and update information from previous monthly status reports as appropriate. The reports should include:*

- a. contact names and telephone numbers;*
- b. company or source names;*
- c. pollutant credit types and amounts in pounds per day (lbs/day);*
- d. ERC certificate numbers;*
- e. the methods of emission reductions (e.g., shutdown, reduction of hours of operation, emission controls, etc.);*
- f. the status of ERC or option negotiations;*
- g. prices or potential prices; and,*
- h. the location of the emission reduction credits.*

**Response:** VSE will prepare the status reports as requested; however, VSE will not provide information on prices or potential prices (Item g) as such prices will be confidential and not relevant to an independent evaluation by Staff.

## **Priority Reserve**

5. *Please provide a status report starting May 1, 2006 and continuing monthly until the rule is revised and adopted by the District Board and the District has approved the project's participation in the Priority Reserve under the revised rule, or until the start of the project Air Quality Evidentiary Hearings. The report should provide new information and update information from previous monthly status reports, and include:*
  - a. any additional rule changes and revisions needed to enable the applicant to qualify and participate in a revised Priority Reserve program, and that ensure sufficient quantities of credits are in the program;*
  - b. steps that the applicant will take to meet the proposed revised rule requirements, including*
    - i. all existing stationary sources under common ownership (applicant and any affiliate identified by the District) will meet Best Available Retrofit Control Technology (BARCT) and will comply with Section (c)(1) of Rule 1309.1.*
    - ii. that the applicant has satisfied the due diligence requirement of Section (c)(3) of Rule 1309.1;*
    - iii. that the applicant will satisfy the 1.2 to 1.0 offset ratio requirement of Section (c)(4) of Rule 1309.1;*
    - iv. that the project will be fully and legally operating within 3 years of a District Permit to Operate or Commission Decision, pursuant to Section (c)(5) of Rule 1309.1; and*
    - v. the status of negotiations for power sales contracts with the State of California pursuant to Section (d)(1) of Rule 1309.1.*

**Response:** VSE will file the status report requested. However, it should be noted that Staff has listed items to be included in the status report using the current revision to amend Rule 1309.1. If the revision is further modified, VSE will tailor its status report accordingly. Additionally, the District will be the agency charged with making the demonstration that VSE is qualified to participate in its Priority Reserve program. We anticipate that such demonstration will be contained in the District's Determination of Compliance.

### Fine Particulate Matter (PM<sub>2.5</sub>) Mitigation

6. *Please provide proposal(s) to mitigate the facility's potentially significant PM<sub>2.5</sub> impacts.*

**Response:** VSE believes that participating in the Priority Reserve will mitigate any potentially significant PM<sub>2.5</sub> impacts.

### Priority Reserve for (PM<sub>2.5</sub>) Mitigation

7. *Please discuss changes in the Priority Reserve necessary to ensure that PM<sub>2.5</sub> emission reduction credits will be identifiable and available to mitigate project PM<sub>2.5</sub> emissions.*

**Response:** VSE is unaware of any changes in the Priority Reserve program relating to PM<sub>2.5</sub> emission reduction credits.

### Local Mitigation Opportunities

8. *Please investigate and report on the potential for local emission reductions and mitigation measures.*

**Response:** There is currently a disincentive to embark upon a project to investigate and develop local emission reductions and mitigation measures because, while VSE is interested, such novel offsetting approaches typically take significant amounts of time to acquire agency approval. Since the SVEP is responding to the predicted shortage of peaking power in Southern California, time delays in overcoming the regulatory burdens associated with developing emission reductions that are not already banked is not feasible. However, if the Staff knows of any local emission reductions that could be developed that are cost effective and would not cause time delay in obtaining agency approval, SVEP will consider them.

### Sulfur Oxides (SO<sub>x</sub>) RECLAIM Status Report

9. *Please provide a status report, starting May 1, 2006 and continuing monthly until the start of the project Air Quality Evidentiary Hearings, regarding the petition or potential petition that the applicant has filed with the District to participate in the SO<sub>x</sub> RECLAIM program that includes:*

- a. *the petition itself and supporting documentation that the applicant filed with the District; and,*
- b. *a schedule for review and decision by the District of the application for participation in SO<sub>x</sub> RECLAIM.*

**Response:** VSE will provide the status report requested.

## Sulfur Oxides (SOx) RTCs

10. *Please provide a list of RECLAIM SOx trading credits (RTC) that the applicant already owns or has under option contract.*

**Response:** VSE does not currently own or have RECLAIM SOx trading credits under option contract.

## Oxides of Nitrogen (NOx) RTCs

11. *Please provide a list of NOx RECLAIM trading credits that the applicant owns or has under option contract.*

**Response:** VSE does not currently own or have NOx RECLAIM trading credits under option contract.

## Sulfur Oxides (SOx) RTC Market

12. *Recent revisions to NOx RECLAIM will reduce NOx RECLAIM trading credits by about 15 percent and probably increase prices from existing levels. Please include in the initial status report above a discussion of how the changes to the NOx RECLAIM market would affect the ability of the applicant to purchase sufficient quantities of NOx RECLAIM trading credits.*

**Response:** The adjustment to NOx RECLAIM trading credit (RTCs) allocations, adopted by the District Governing Board on January 7, 2005, is phased in over a five-year period. Aggregate 2007 allocations are reduced by 4 tons per day, and aggregate allocations for the years 2008-2011 are reduced by 0.925 tons per day each year. These reductions have already been implemented, and are reflected in current allocations. The reductions do not appear to have had any significant impact on the market for NOx RTCs, and VSE does not believe that the reductions will affect the ability of VSE to acquire sufficient quantity of NOx RTCs to comply with District rules for the SVEP.

## Startup Emissions

13. *Please provide assumptions and calculations used to derive the individual turbine start-up emissions for NOx, CO and VOC of 7, 15.4 and 2.1 lbs/event, respectively.*

**Response:** The startup emissions were based on data provided by GE Energy. This data represents margined average engine emissions and is not guaranteed. To account for the worst potential case, these average emissions were therefore margined an additional 40 percent. For example, the GE Energy start emission datum for NOx of 5 lb/start was adjusted upward by 40 percent to produce 7 lb/start. For CO, the average GE Energy start emission is 11 lb/start, which was margined upward by 40 percent to 15.4 lb/start. VOC emissions were also margined upward by 40 percent, from 1.5 lb/start to 2.1 lb/start.

## Shutdown Emissions

14. *Please provide assumptions and calculations used to derive the individual turbine shut down emissions for NOx, CO and VOC of 4.3, 18.2 and 1.6 lbs/event, respectively.*

**Response:** As with the startup emissions, GE Energy provided emissions data for shutdown as unguaranteed, margined average engine emissions. In this case, a 7 percent margin was

added to the shutdown emissions figure that GE Energy provided. Thus, for NO<sub>x</sub>, the average shutdown emission of 4 lb/shutdown was adjusted upward by 7 percent to 4.3 lb/shutdown. For CO, the 17 lb/shutdown emission estimate was adjusted upward to 18.2 lb/shutdown. Similarly, the GE Energy VOC datum of 1.5 lb/shutdown was adjusted upward to 1.6 lb/shutdown.

### Modeling Analysis Input

15. *Please provide an explanation of how the turbine’s start-up and shut down emissions and exhaust conditions (i.e., flow rate and temperature) were estimated for inputs into the modeling analysis.*

**Response:** Staff is referred to AFC Section 8.1.2.4.3 (Turbine Startup/Shutdown) and Table 8.1-29 for a complete description of the assumptions used to estimate emissions and exhaust conditions. The exhaust stack characteristics were based upon 50 percent load case.

### Revised Analysis

16. *If the start-up and shut down emissions rates and characteristics are revised, please provide a revised modeling analysis showing the facility impacts during start-ups.*

**Response:** Revised analysis is not necessary, because it was not necessary to revised the startup and shutdown emissions rates or characteristics.

### Turbine Commissioning Procedures

17. *Please provide a detailed discussion of turbine commissioning and the procedures to be used to limit the simultaneous operation of turbines that have no, or limited, emissions controls in place.*

**Response:** GE Energy requires 300 hours of base load operation as a final completion step to the commissioning process. Compliance with the entire commissioning process will be made through the application of fuel-use monitoring, emissions factors, and hours of operation. The applicant expects to have a permit condition that limits the commissioning phases to 394 hours per turbine.

As a result, VSE has revised AFC Table 8.1A-10 (Commissioning Emissions) as Table DR17-1 to reflect the additional hours added to the final phase of commissioning. In addition, a correction was made to the total number of units that would be operational simultaneously in each phase. Originally, Phase 1 had four turbines and Phase 4 had five turbines operating simultaneously. Now, both of these phases will have no more than three turbines operating simultaneously.

TABLE DR17-1  
Commissioning Emissions

| Commissioning Phase   | 1  | 2  | 3   | 4   | 5   | 6   | Total |
|-----------------------|----|----|-----|-----|-----|-----|-------|
| Water Injection       | No | No | 50% | Yes | Yes | Yes |       |
| SCR Installed         | No | No | No  | No  | 50% | Yes |       |
| CO Catalyst Installed | No | No | No  | No  | Yes | Yes |       |
| Hours per Unit        | 20 | 14 | 24  | 12  | 24  | 300 | 394   |

TABLE DR17-1  
Commissioning Emissions

| Commissioning Phase               | 1     | 2     | 3      | 4      | 5     | 6      | Total  |
|-----------------------------------|-------|-------|--------|--------|-------|--------|--------|
| # Units Operating Simultaneously* | 3     | 3     | 1      | 3      | 5     | 5      |        |
| Avg Load %                        | 0     | 5     | 50     | 100    | 75    | 100    |        |
| NOx lb/hr                         | 91    | 99    | 175    | 81     | 35    | 8.1    |        |
| CO lb/hr                          | 55    | 60    | 168    | 255    | 9     | 12     |        |
| VOC lb/hr                         | 2     | 2     | 3      | 5      | 4     | 2      |        |
| MMBtu/hr - HHV                    | 150   | 180   | 500    | 900.5  | 700   | 900.5  |        |
| NOx lb/mmescf                     | 641   | 581   | 370    | 95     | 53    | 9      |        |
| CO lb/mmescf                      | 387   | 352   | 355    | 299    | 14    | 14     |        |
| VOC lb/mmescf                     | 14    | 12    | 6      | 6      | 6     | 2      |        |
| Total NOx lbs (5 units)           | 9,100 | 6,930 | 21,000 | 4,860  | 4,200 | 12,150 | 58,240 |
| Total CO lbs (5 units)            | 5,500 | 4,200 | 20,160 | 15,300 | 1,080 | 18,000 | 64,240 |
| Total VOC lbs                     | 200   | 140   | 360    | 300    | 480   | 3,000  | 4,480  |

\* Assume this number of units operate simultaneously at condition stated with the remaining units operating at fully commissioned full output conditions.

Natural gas MMBtu/mmescf: 1056  
Number of GT Units: 5

| Phase | Description  |
|-------|--|
| 1     | Pre-break-in checkout.   |
| 2     | Controlled break-in run.   |
| 3     | Water injection commissioning. Assume that water injection is 50% effective.               |
| 4     | Complete AVR commissioning.  |
| 5     | SCR commissioning. Assume that NOx SCR is 50% effective and CO catalyst is 100% effective. |
| 6     | Full load testing & checkout.  |

### Commissioning Emissions

18. Please provide the assumptions and calculations deriving the turbine commissioning emissions such as those shown in Table 8.1A-10 and estimate maximum emissions from each turbine and the facility during commissioning.

**Response:** The commissioning period was broken into a number of specific phases for each of the following major system commissioning steps:

1. Pre-break-in check-out (full speed-no load with no water injection or catalyst systems in service)
2. Controlled break-in run (low load with no water injection or catalyst systems in service)
3. Water injection commissioning (0-100 percent load with partial water injection and no SCR)
4. Commissioning of Automatic Voltage Regulation (full load with full water injection and no SCR)

5. SCR commissioning (50-100 percent load with full water injection and partial SCR)
6. Full-load testing and checkout (full load with full water injection and full SCR)

The turbine manufacturer (GE Energy) provided estimated commissioning durations and load profiles for each of the phases. Based on CEC experience with commissioning periods often taking longer than originally estimated, a margin was applied to the GE Energy duration estimates. At the various load levels dictated by the commissioning load profiles, estimated emission levels (in ppm) were obtained from a proprietary curve provided by the manufacturer. In general, emission levels (in lb/hr) were estimated by using a ratio of turbine exhaust flow and emission levels (in ppm), as appropriate, between a known condition and the estimated condition.

## Baseload Operation

19. *Please provide the steps that the applicant will take to ensure continuous operation at base-load to meet the 300 hours operational requirement.*

**Response:** Please see the response to Data Request #17.

## Emissions Limits

20. *If the operational requirement cannot be reasonably met, please provide discussions and analysis to show whether the facility can meet the turbines' PM and VOC emissions limits identified in the AFC. If these PM and VOC emissions levels cannot be met, please provide new estimates for the turbines' PM and VOC emissions, impacts and offsets.*

**Response:** No revisions are necessary.

## Fuel Sulfur Content

21. *Please provide assurance that the sulfur content of supplied natural gas will not be above 0.25 gr/100scf.*

**Response:** Natural gas for the power plant facility will be supplied by the Southern California Gas Company (SoCal Gas). Gas quality is regulated by Rule No. 30 – Transportation of Customer-Owned Gas (see Attachment AIR-1). Rule No. 30, Section I – Gas Quality limits total fuel sulfur to no more than 0.75 grains/100 scf. In practice, the gas supplier, based on historical fuel analysis data, delivers gas to its customers with fuel sulfur contents well below 0.25 grains per 100 scf (see Response #22 below).

## Fuel Sulfur Limit

22. *Please provide the steps the applicant would take to ensure that natural gas that has higher than 0.25 gr/100scf of sulfur will not be used at the facility.*

**Response:** Data derived from SoCal Gas for January through December 2005 at Blythe entry points B1 and B2 indicates that the gas fuel sulfur content averages 0.068 grains per 100 scf or 1.143 ppmv. These averages indicate that, in all likelihood, the maximum gas sulfur content will be well below 0.25 grains per 100 scf, and that the annual average of the delivered gas will also be below the 0.25-grains-per-100 scf (See Attachment AIR-2).

## Sulfur Limit Compliance

23. *Please provide the method for ensuring continuous compliance with the sulfur content limits specified for the supplied natural gas fuel.*

**Response:** VSE cannot guarantee fuel quality when it has no control over the fuel supply (origin) or distribution and mixing network, etc. VSE is committed to using clean burning natural gas which, based, on historical data and future expectations, will continue to be extremely low in total sulfur content, resulting in low emissions of SO<sub>2</sub>. In addition, the data noted above and presented in Attachment AIR-2 indicates that the overall average gas sulfur content is well below the 0.25-grains-per-100 scf value quoted in the AFC, which means that the actual SO<sub>2</sub> emissions will most likely be less than those stated in the AFC on an annual basis. VSE will rely upon SoCal Gas to ensure that the gas supplied to the plant (as well as to all the remaining gas customers) is the highest quality; i.e., having the lowest possible fuel sulfur contents. In addition, the facility will evaluate the need for a program of periodic on-site gas fuel sampling and analysis to determine compliance with the stated gaseous fuel sulfur value or 0.25 grains per 100 scf. Pursuant to NSPS Subpart KKKK (new turbines greater than or equal to 1 MW and constructed after February 18, 2005) section 60.4365, the SVEP turbines would not need to monitor (sample and analyze) fuel for sulfur content since the current tariff and transportation sheet for the proposed natural gas (Rule 30 as attached) insures that the gas sulfur content will be well below the 300-ppmw NSPS Subpart KKKK limit.

## Ultra-Low Sulfur Diesel

24. *Please provide discussion about the feasibility of using ultra-low sulfur diesel as fuel for the fire pump engines.*

**Response:** VSE proposes to use ultra-low sulfur diesel, which contains no more than 15 ppm sulfur (0.0015 percent S by weight), for the fire pump engine.

## Emissions Using Ultra-Low Sulfur Diesel

25. *Given the scenario of using ultra-low sulfur diesel, please revise project emissions, and if appropriate, air dispersion modeling, based on the new fuel.*

**Response:** No revisions to the modeling are needed, as the modeling assumed that the fire-pump engine would use ultra-low sulfur fuel. Air quality impacts from the use of the proposed diesel fuel with a sulfur content of 0.015 percent by weight are insignificant; i.e., downwind impact values do not violate any SIL, nor do they cause or contribute a violation of any SO<sub>2</sub> air quality standard. As such, the use of ultra-low sulfur diesel fuel will also have insignificant impacts on local and regional SO<sub>2</sub> air quality.

## Text File

26. *Please provide a text file describing the provided input and output modeling files.*

**Response:** A "readme" file will be supplied which identifies the various modeling input and output files.

### Cumulative Impacts Analysis

27. Please clarify whether an air quality cumulative impact analysis has been performed. If it has, please provide the modeling assumptions, model input and output files, and modeling results.

**Response:** The source inventory file necessary for the completion of the cumulative impact analysis has been requested from the South Coast AQMD. Upon receipt and QA/QC of the data, the source list will be supplied to CEC staff, and the cumulative analysis will be prepared and forwarded to staff and the AQMD.

### List of Projects

28. If a cumulative impact analysis has not been performed, please discuss the status of obtaining a list of projects near the Sun Valley project site that meet the criteria listed in Section 8.1H "Cumulative Impacts Analysis Protocol". If the aforementioned list has been obtained, please submit the list of the emission sources to be included in the cumulative air quality impacts analysis.

**Response:** See the response to Data Request #27, above.

### Cumulative Impacts Modeling

29. Upon staff's review and concurrence of the sources, please perform a cumulative impact analysis using the modeling method proposed in the AFC.

**Response:** See the response to Data Request #27, above.

### Offsets Required

30. Please provide a table that lists the correct amount of offsets required by the District's NSR rule.

**Response:** AFC Table 8.1G-2 is revised as follows (Table DR30-1):

TABLE DR30-1

SCAQMD Emission Bank Credits Required By SVEP Emission Reduction Credits

|                                   | PM <sub>10</sub><br>lbs/month | VOC<br>lbs/month | CO<br>lbs/month | NOx RTCs<br>lbs/yr | SOx RTCs or ERCs<br>lbs/yr |
|-----------------------------------|-------------------------------|------------------|-----------------|--------------------|----------------------------|
| Total Mitigation Amounts Required | 16,118.5                      | 6,403            | 37,403          | 149,540            | 10,760                     |

Values derived from AFC Appendix 8.1A, Table 8.1A-2a, with 1.2:1 adjusted for ERCs only.



# Attachment AIR-1

SoCal Gas Rule #30

---



TRANSPORTATION OF CUSTOMER-OWNED GAS

The provisions of this Rule shall not apply to service until the date of full implementation of the CPUC's Capacity Brokering Rules set forth in Decision Nos. 91-11-025 and 92-07-025 and Resolution Nos. G-3023, G-3033 and G-3043.

The general terms and conditions applicable whenever the Utility transports customer-owned gas over its system are described herein.

A. General

1. Subject to the terms, limitations and conditions of this rule and any applicable CPUC authorized tariff schedule, directive, or rule, the customer will deliver or cause to be delivered to the Utility and accept on redelivery quantities of customer-owned gas which shall not exceed Utility's capability to receive or redeliver such quantities. Utility will accept such quantities of gas from the customer or its designee and redeliver to the customer on a reasonably concurrent basis an equivalent quantity, on a term basis, to the quantity accepted.
2. The customer warrants to the Utility that the customer has the right to deliver the gas provided for in the customer's applicable service agreement or contract (hereinafter "service agreement") and that the gas is free from all liens and adverse claims of every kind. The customer will indemnify, defend and hold the Utility harmless against any costs and expenses on account of royalties, payments or other charges applicable before or upon delivery to the Utility of the gas under such service agreement.
3. The point(s) where the Utility will receive the gas into its intrastate system (point(s) of receipt, as defined in Rule No. 1) and the point(s) where the Utility will deliver the gas from its intrastate system to the customer (point(s) of delivery, as defined in Rule No. 1) will be set forth in the customer's applicable service agreement. Other points of receipt and delivery may be added by written amendment thereof by mutual agreement. The appropriate delivery pressure at the points of delivery to the customer shall be that existing at such points within the Utility's system or as specified in the service agreement.

B. Quantities

1. The Utility shall as nearly as practicable each day redeliver to customer and customer shall accept, a like quantity of gas as is delivered by the customer to the Utility on such day. It is the intention of both the Utility and the customer that the daily deliveries of gas by the customer for transportation hereunder shall approximately equal the quantity of gas which the customer shall receive at the points of delivery. However, it is recognized that due to operating conditions either (1) in the fields of production, (2) in the delivery facilities of third parties, or (3) in the Utility's system, deliveries into and redeliveries from the Utility's system may not balance on a day-to-day basis. The Utility and the customer will use all due diligence to assure proper load balancing in a timely manner.

(Continued)

(TO BE INSERTED BY UTILITY)  
ADVICE LETTER NO. 2651  
DECISION NO. 97-11-070

ISSUED BY  
**Paul J. Cardenas**  
Vice President

(TO BE INSERTED BY CAL. PUC)  
DATE FILED Nov 21, 1997  
EFFECTIVE Dec 26, 1997  
RESOLUTION NO. \_\_\_\_\_

Rule No. 30

Sheet 2

TRANSPORTATION OF CUSTOMER-OWNED GAS

(Continued)

B. Quantities (continued)

2. The gas to be transported hereunder shall be delivered and redelivered as nearly as practicable at uniform hourly and daily rates of flow. Utility may refuse to accept fluctuations in excess of ten percent (10%) of the previous day's deliveries, from day to day, if in the Utility's opinion receipt of such gas would jeopardize other operations. Customers may make arrangements acceptable to the Utility to waive this requirement.
3. The Utility does not undertake to redeliver to the customer any of the identical gas accepted by the Utility for transportation, and all redelivery of gas to the customer will be accomplished by substitution on a therm-for-therm basis.
4. Transportation customers, contracted marketers, and aggregators will be provided monthly balancing services in accordance with the provisions of Schedule No. G-IMB.
5. Gas shall be transported hereunder for use only by the customer within the state of California, and not for delivery or resale to a third party unless authorized by the Commission.

C. Electronic Bulletin Board

1. SoCalGas prefers and encourages customers to use Electronic Bulletin Board (EBB) as defined in Rule No. 1 to submit their transportation nominations to the Utility. Imbalance trades are to be submitted through EBB or by means of the Imbalance Trading Agreement Form (Form 6544). Charges for EBB are set forth in Rule No. 33 and are based upon the level of actual usage. Use of EBB is not mandatory for transportation only customers.

D. Operational Requirements

1. The customer must provide to the Utility the name(s) of its shipper(s) as well as any brokers or agents ("agent") used by the customer for delivery of gas to the Utility for transportation service hereunder and their authority to represent customer.
2. Transportation nominations may be submitted manually or through EBB. For each transportation nomination submitted manually, (by means other than EBB such as facsimile transmittal), a processing charge of \$11.87 shall be assessed. No processing charge will apply to an EBB subscriber for nominations submitted by fax at a time the EBB system is unavailable for use by the subscriber.

(Continued)

(TO BE INSERTED BY UTILITY)  
 ADVICE LETTER NO. 3235  
 DECISION NO.

ISSUED BY  
**Lee Schavrien**  
 Vice President  
 Regulatory Affairs

(TO BE INSERTED BY CAL. PUC)  
 DATE FILED Feb 7, 2003  
 EFFECTIVE Mar 30, 2003  
 RESOLUTION NO. \_\_\_\_\_

T  
T  
|  
|  
|  
T  
  
T  
|  
|  
T

TRANSPORTATION OF CUSTOMER-OWNED GAS

(Continued)

D. Operational Requirements (continued)

3. Transportation nominations submitted via EBB for the Timely Nomination cycle must be received by the Utility by 9:30 a.m. Pacific Clock Time one day prior to the flow date. Nominations submitted via fax must be received by the Utility by 8:30 a.m. Pacific Clock Time one day prior to the flow date. Nominations received after the nomination deadline will be processed after the nominations received before the nomination deadline. All nominations are considered original nominations and should be replaced to be changed.

Nominations submitted via EBB for the Evening Nomination cycle must be received by the Utility by 4:00 p.m. Pacific Clock Time one day prior to the flow date. Nominations submitted via fax must be received by the Utility by 3:00 p.m. Pacific Clock Time one day prior to the flow date.

Nominations submitted via EBB for the Intraday 1 Nomination cycle must be received by the Utility by 8:00 a.m. Pacific Clock Time on the flow date. Nominations submitted via fax must be received by the Utility by 7:00 a.m. Pacific Clock Time on the flow date.

Nominations submitted via EBB for the Intraday 2 Nomination cycle must be received by the Utility by 3:00 p.m. Pacific Clock Time on the flow date. Nominations submitted via fax must be received by the Utility by 2:00 p.m. Pacific Clock Time on the flow date.

Evening and Intraday nominations may be used to request an increase or decrease to scheduled volumes or a change to receipt or delivery points.

4. Where gas is transported by a shipper or agent to more than one customer of the Utility and the transporting pipeline's allocation to the shipper or agent is less than the shipper's or agent's requested quantity, such shipper or agent must allocate among its customers the total quantity of gas delivered each day to the Utility by the shipper or agent.

An allocation ranking must be submitted to the Utility no later than 3:00 p.m. Pacific Clock Time on the date of flow. An allocation ranking should be received for each flow date from each shipper. Agent rankings should be submitted along with the nominations.

If no allocation ranking is made by such shipper or agent by the due date and time, the Utility will use a pro rata allocation in allocating delivered quantities among the shipper's or agent's customers and the Utility's allocation of these quantities will prevail. The total quantity allocated among the customers of a shipper or agent during a month shall be adjusted by the Utility if necessary to match the actual monthly delivery to the Utility for the shipper or agent as reported by the transporting pipeline.

(Continued)

(TO BE INSERTED BY UTILITY)  
ADVICE LETTER NO. 3235  
DECISION NO.

ISSUED BY  
**Lee Schavrien**  
Vice President  
Regulatory Affairs

(TO BE INSERTED BY CAL. PUC)  
DATE FILED Feb 7, 2003  
EFFECTIVE Mar 30, 2003  
RESOLUTION NO. \_\_\_\_\_

Rule No. 30

Sheet 4

TRANSPORTATION OF CUSTOMER-OWNED GAS

(Continued)

5. As between the customer and the Utility, the customer shall be deemed to be in control and possession of the gas to be delivered hereunder and responsible for any damage or injury caused thereby until the gas has been delivered at the point(s) of receipt. The Utility shall thereafter be deemed to be in control and possession of the gas after delivery to the Utility at the point(s) of receipt and shall be responsible for any damage or injury caused thereby until the same shall have been redelivered at the point(s) of delivery, unless the damage or injury has been caused by the quality of gas originally delivered to the Utility, for which the customer shall remain responsible.
6. Any penalties or charges incurred by the Utility under an interstate or intrastate supplier contract as a result of accommodating transportation service shall be paid by the responsible customer.
7. Customers receiving service from the Utility for the transportation of customer-owned gas shall pay any costs incurred by the Utility because of any failure by third parties to perform their obligations related to providing such service.

E. Interruption of Service

1. The customer's transportation service priority shall be established in accordance with the definitions of Core and Noncore service, as set forth in Rule No. 1, and the provisions of Rule No. 23, Continuity of Service and Interruption of Delivery. If the customer's gas use is classified in more than one service priority, it is the customer's responsibility to inform the Utility of such priorities applicable to the customer's service. Once established, such priorities cannot be changed during a curtailment period.
2. The Utility shall have the right, without liability (except for the express provisions of the Utility's Service Interruption Credit as set forth in Rule No. 23), to interrupt the acceptance or redelivery of gas whenever it becomes necessary to test, alter, modify, enlarge or repair any facility or property comprising the Utility's system or otherwise related to its operation. When doing so, the Utility will try to cause a minimum of inconvenience to the customer. Except in cases of unforeseen emergency, the Utility shall give a minimum of ten (10) days advance written notice of such activity.

F. Nominations in Excess of System Capacity

1. In the event the Utility determines that the transportation nominations received for a specific date of gas flow ("flow date") exceed its expected system capacity (including storage) on such flow date, the Utility shall apply Buy-Back service under Schedule No. G-IMB separately for each flow date that is overnominated. In such event, the Utility shall follow the procedure set forth below. This procedure and the resulting periods of excess nominations shall apply only to (1) all noncore transportation customers, and (2) all customers with usage exceeding 250,000 therms per year at each facility served under Schedule Nos. GT-10 and GT-NGV.

(Continued)

(TO BE INSERTED BY UTILITY)  
ADVICE LETTER NO. 2917  
DECISION NO. 00-04-060

ISSUED BY  
**William L. Reed**  
Vice President  
Chief Regulatory Officer

(TO BE INSERTED BY CAL. PUC)  
DATE FILED May 19, 2000  
EFFECTIVE Jun 1, 2000  
RESOLUTION NO. \_\_\_\_\_

TRANSPORTATION OF CUSTOMER-OWNED GAS

(Continued)

F. Nominations in Excess of System Capacity (continued)

2. If the Utility determines that transportation nominations received for a specific flow date will result in a period of excess nominations, the Utility shall effectuate at such time a reduction of Hub services that would contribute to the overnomination event and as-available storage injection nominations made for service under Schedule No. G-AUC. Such reductions shall be made in the order of the as-available service queue.
3. If such reductions in nominations are inadequate in resolving the excess transportation nominations problem, Utility shall notify all applicable customers that an excess nominations period shall be instituted. The Utility shall provide such notice via its EBB system.
4. The excess nominations period shall begin on the flow date(s) indicated by the Utility. Nominations for customers without automated meter reading devices will be reduced to the maximum daily quantity specified for the customer. Customers shall be allowed to reduce their nominations in response to the Utility's notification. Such nominations reductions must be received by the Utility within two (2) business hours from the Utility's notification. If such voluntary reductions are adequate to bring the system into balance, the overnomination flow date will be anceled. Nomination reductions received after this deadline shall be considered received for the next day's nominations.
5. In the event customers fail to adequately reduce their transportation nominations, the Utility shall reduce the nominations of those customers that the Utility believes are causing the excess nominations problem. In making such nominations reductions, the Utility shall utilize the most recent and best available operating data at its disposal.
6. In cases where the Utility reduces a customer's nomination under the above procedure and, as a result of such reduction, the customer uses Standby Procurement service under Schedule No. G-IMB in excess of the 10% tolerance band, the customer shall be allowed to additionally carry over the lesser of (1) the negative imbalance for the month in excess of the tolerance band, or (2) the amount of the customer's total involuntary nominations reductions for the month. Such additional carryover shall be applied to the customer's imbalance account at the conclusion of the imbalance trading period for the month in which the involuntary reduction occurred.
7. In accordance with the provisions of Schedule No. G-IMB, Buy-Back service shall be applied separately to each excess nominations day. Customer meters subject to maximum daily quantity limitations will use the maximum daily quantity as a proxy for daily usage. For each such day, the Utility shall apply the applicable Buy-Back rate to all of the customer's deliveries, less any firm storage injections made on behalf of the customer, for the designated flow date that are in excess of 110% of the customer's actual usage.

(Continued)

(TO BE INSERTED BY UTILITY)  
ADVICE LETTER NO. 3235  
DECISION NO.

ISSUED BY  
**Lee Schavrien**  
Vice President  
Regulatory Affairs

(TO BE INSERTED BY CAL. PUC)  
DATE FILED Feb 7, 2003  
EFFECTIVE Mar 30, 2003  
RESOLUTION NO. \_\_\_\_\_

Rule No. 30

Sheet 6

TRANSPORTATION OF CUSTOMER-OWNED GAS

(Continued)

F. Nominations in Excess of System Capacity (continued)

8. Consistent with the requirements of Decision No. 92-07-025, the Utility's Gas Supply Department shall limit its deliveries into its system on behalf of its core sales market to no more than 110% of actual gas usage for the core (including firm storage injections on behalf of the core) during periods of excess transportation nominations.

G. Winter Deliveries

The Utility requires that customers deliver (using a combination of flowing supply and firm storage withdrawal) at least 50% of burn over a five day period from November through March. As the Utility's total storage inventory declines through the winter, the delivery requirement becomes daily and increases to 70% or 90% depending on the level of inventory relative to peak day minimums.

1. From November 1 through March 31 customers are required to deliver (flowing supply and firm storage withdrawal) at a minimum of 50% of burn over a 5-day period. In other words, for each 5-day period, the Utility will calculate the total burn and the total delivery. If the total delivery is less than 50% of the total burn, a daily balancing standby charge is applied. The daily balancing standby rate is 150% of the highest Southern California Border price during the five day period as published by Natural Gas Intelligence in "NGI's Daily Gas Price Index," including authorized franchise fees and uncollectible expenses (F&U) and brokerage fees. Imbalance trading and as-available withdrawals may not be used to offset the delivery minimums. As an additional requirement, retail core and core aggregation will deliver a volume no less than 50% of their allocated firm interstate pipeline rights.
  - a. "Burn" means usage and is defined as metered throughput or an estimated quantity such as Minimum Daily Quantity (MinDQ), as defined in Rule No. 1, for customers without automated meters.
  - b. Example five-day periods are: Nov. 1 through Nov. 5, Nov. 6 through Nov. 10, Nov. 11 through Nov. 15 and so on. November with 30 days has six 5-day periods. December, January and March with 31 days have a 6-day period at the end of the month. February has a shortened 3 or 4-day period at the end of the month. The current 5-day period will run its course fully before the implementation of the 70% daily requirement. In the event that inventories rise above the 70% daily trigger levels by 1 Bcf, then a new, 5-day period will be implemented on the following day.
  - c. Example calculations for determining volumes subject to the daily balancing standby rate are: if over 5 days, total burn is 500,000 therms and total deliveries (including firm withdrawal) are 240,000 therms, then 10,000 therms is subject to daily balancing standby rate. (50% times 500,000 minus 240,000 equals 10,000).

(Continued)

(TO BE INSERTED BY UTILITY)  
 ADVICE LETTER NO. 2734  
 DECISION NO.

ISSUED BY  
**Paul J. Cardenas**  
 Vice President

(TO BE INSERTED BY CAL. PUC)  
 DATE FILED Aug 7, 1998  
 EFFECTIVE Sep 16, 1998  
 RESOLUTION NO. \_\_\_\_\_

L  
|  
|  
|  
|  
|  
L

L

TRANSPORTATION OF CUSTOMER-OWNED GAS

(Continued)

G. Winter Deliveries (continued)

1. (continued)

- d. Example calculations in using NGI's Daily Gas Price Index for determining the daily balancing standby rate are: If for Jan. 6 through Jan. 10 the NGI Southern California Border quoted price ranges are \$2.36- 2.39, \$2.36-2.44, \$2.38-2.47, \$2.36-2.42, and \$2.37- 2.45, respectively, then the daily balancing standby rate becomes \$3.71 (\$2.47 times 150%).
  - e. With the exception of weekends and holidays, the Utility will use quotes from the NGI publication dated on the same day as the flow date. Weekend or holiday flow dates will use the first available publication date after the weekend or holiday.
  - f. Under current capacity assignments, 50% of core (retail core plus core aggregation) interstate pipeline rights translates to 522 MMcf/d. For aggregators this translates to 50% of the Daily Contract Quantity (DCQ) as defined in Rule No. 1.
2. When total inventory declines to the "peak day minimum + 20 Bcf trigger," the minimum daily delivery requirement increases to 70%. Customers are then required to be balanced (flowing supply plus firm storage withdrawal) at a minimum of 70% of burn on a daily basis. The 5-day period no longer applies since the system can no longer provide added flexibility. The daily balancing standby rate is 150% of the highest Southern California Border price per NGI's *Daily Gas Price Index* for the day (including authorized F&U and brokerage fees) and is applied to each day's deliveries which are less than the 70% requirement. In this regime as-available storage withdrawal is cut in half. All Hub activity contributing to the underdelivery situation (i.e., Hub deliveries greater than Hub receipts) is suspended.
- a. Peak day minimums are calculated annually before November 1 as part of normal winter operations planning. The peak day minimum is that level of total inventory that must be in storage to provide deliverability for the core 1-in-35 year peak day event, firm withdrawal commitments and noncore balancing requirement.
  - b. Example calculations in this regime for determining volumes subject to the daily balancing standby rates are: If on January 6 total burn is 500,000 therms, and total deliveries (including firm withdrawal) are 300,000 therms then 50,000 therms is subject to the daily balancing standby charge (70% times 500,000 minus 300,000 equals 50,000).
  - c. Example calculations in using NGI's Daily Gas Price Index for daily balancing standby rates in this regime are: if for January 6 and January 7, the NGI Southern California Border quoted price ranges are \$2.36-2.39 and \$2.36-2.44, then the daily balancing standby rates become \$3.59 (150% of 2.39) for January 6, and \$3.66 (150% times 2.44) for January 7, respectively.

L  
|  
|  
L

(Continued)

(TO BE INSERTED BY UTILITY)  
 ADVICE LETTER NO. 2734  
 DECISION NO.

ISSUED BY  
**Paul J. Cardenas**  
 Vice President

(TO BE INSERTED BY CAL. PUC)  
 DATE FILED Aug 7, 1998  
 EFFECTIVE Sep 16, 1998  
 RESOLUTION NO. \_\_\_\_\_

TRANSPORTATION OF CUSTOMER-OWNED GAS

(Continued)

G. Winter Deliveries (continued)

3. When total inventories decline to the "peak day minimum + 5 Bcf trigger," the minimum daily delivery requirement increases to 90%. Customers are required to be balanced (flowing supply plus firm storage withdrawal) at a minimum of 90% of burn on a daily basis. Similar to the 70% regime the 5 day period no longer applies. The daily balancing standby rate is charged daily and is 150% of the highest Southern California Border price per NGI's *Daily Gas Price Index* for the day (including authorized F&U and brokerage fees). In this regime there are no as-available storage withdrawals. All Hub activity contributing to the underdelivery situation (i.e., Hub deliveries greater than Hub receipts) is suspended.
4. Information regarding the established peak day minimums, daily balancing trigger levels and total storage inventory levels will be made available to customers on a daily basis via EBB and other customer notification media.
5. If a wholesale customer so requests, the Utility will nominate firm storage withdrawal volumes on behalf of the customer to match 100% of actual usage assuming the customer has sufficient firm storage withdrawal and inventory rights to match the customer's supply and demand.
6. The Utility will accept intra-day nominations to increase deliveries.
7. In all cases, current BCAP rules for monthly balancing and monthly imbalance trading continue to apply. Volumes not in compliance with the 50%, 70% and 90% minimum delivery requirements, purchased at the daily balancing standby rate, are credited toward the monthly 90% delivery requirements. Daily balancing charges remain independent of monthly balancing charges. Daily balancing and monthly balancing charges go to the Purchased Gas Account (PGA). Schedule No. G-IMB provides details on monthly and daily balancing charges.

H. Accounting and Billing

1. The customer and the Utility acknowledge that on any operating day during the customer's applicable term of transportation service, the Utility may be redelivering quantities of gas to the customer pursuant to other present or future service arrangements. In such an event, the Utility and customer agree that the total quantities of gas shall be accounted for in accordance with the provisions of Rule No. 23. If there is no conflict with Rule No. 23, the quantities of gas shall be accounted for in the following order:

(Continued)

(TO BE INSERTED BY UTILITY)

ADVICE LETTER NO. 3235

DECISION NO.

8C13

ISSUED BY

**Lee Schavrien**

Vice President

Regulatory Affairs

(TO BE INSERTED BY CAL. PUC)

DATE FILED Feb 7, 2003

EFFECTIVE Mar 30, 2003

RESOLUTION NO. \_\_\_\_\_

T

Rule No. 30

Sheet 9

TRANSPORTATION OF CUSTOMER-OWNED GAS

(Continued)

H. Accounting and Billing (continued)

1. (continued)

- a. First, to satisfy any minimum quantities under existing agreements.
  - b. Second, after complete satisfaction of (a), then to any supply or exchange service arrangements with the customer.
  - c. Third, after the satisfaction of (a) and (b), then to any subsequently executed service agreement.
2. The customer agrees that it shall accept and the Utility can rely upon, for purposes of accounting and billing, the allocation made by customer's shipper as to the quality and quantity of gas, expressed both in Mcf and therms, delivered at each point of receipt during the preceding billing period for the customer's account. If the shipper does not make such an allocation, the customer agrees to accept the quality and quantity as determined by the Utility. All quality and measurement calculations are subject to subsequent adjustment as provided in the Utility's tariff schedules or applicable CPUC rules and regulations. Any other billing correction or adjustment made by the customer or third party for any prior period shall be based on the rates or costs in effect when the event occurred and accounted for in the period they are reconciled.
3. The Utility shall render to the customer an invoice for the services hereunder showing the quantities of gas, expressed in therms, delivered to the Utility for the customer's account, at each point of receipt and the quantities of gas, expressed in therms, redelivered by Utility for the customer's account at each point of delivery during the preceding billing period. The Customer shall pay such amounts due hereunder within nineteen (19) calendar days following the date such bill is mailed.
4. Both the Utility and the customer shall have the right at all reasonable times to examine, at its expense, the books and records of the other to the extent necessary to verify the accuracy of any statement, charge, computation, or demand made under or pursuant to service hereunder. The Utility and the customer agree to keep records and books of account in accordance with generally accepted accounting principles and practices in the industry.

I. Gas Quality

1. The gas stream delivered by the customer into the Utility's system shall conform to the gas quality specifications as provided in any applicable agreements, contracts, service contracts and tariff schedules in effect between the delivering interstate or intrastate pipeline and the Utility at the time of the delivery.

(Continued)

(TO BE INSERTED BY UTILITY)  
ADVICE LETTER NO. 2665  
DECISION NO.

ISSUED BY  
**William L. Reed**  
Vice President  
Chief Regulatory Officer

(TO BE INSERTED BY CAL. PUC)  
DATE FILED Jan 16, 1998  
EFFECTIVE Feb 25, 1998  
RESOLUTION NO. \_\_\_\_\_

TRANSPORTATION OF CUSTOMER-OWNED GAS

(Continued)

I. Gas Quality (continued)

2. All gas delivered into the Utility's system for the account of the customer for which there is no existing contract between the delivering pipeline and the Utility shall be at a pressure such that the gas can be integrated into the Utility's system at the point(s) of receipt and shall conform to the following minimum specifications:
  - a. Heating Value: The minimum heating value is nine hundred and seventy (970) Btu (gross) per standard cubic foot on a dry basis. The maximum heating value is one thousand one hundred fifty (1150) Btu (gross) per standard cubic foot on a dry basis.
  - b. Moisture Content or Water Content: For gas delivered at or below a pressure of eight hundred (800) psig, the gas shall have a water content not in excess of seven (7) pounds per million standard cubic feet. For gas delivered at a pressure exceeding of eight hundred (800) psig, the gas shall have a water dew point not exceeding 20F at delivery pressure.
  - c. Hydrogen Sulfide: The gas shall not contain more than twenty-five hundredths (0.25) of one (1) grain of hydrogen sulfide per one hundred (100) standard cubic feet. The gas shall not contain any entrained hydrogen sulfide treatment chemical (solvent) or its by-products in the gas stream.
  - d. Mercaptan Sulfur: The mercaptan sulfur is not to exceed three tenths (0.3) grains per hundred standard cubic feet.
  - e. Total Sulfur: The gas shall not contain more than seventy-five hundredths (0.75) of a grain of total sulfur compounds per one hundred (100) standard cubic feet. This includes COS and CS<sub>2</sub>, hydrogen sulfide, mercaptans and mono, di and poly sulfides.
  - f. Carbon Dioxide: The gas shall not have a total carbon dioxide content in excess of three percent (3%) by volume.
  - g. Oxygen: The gas shall not at any time have an oxygen content in excess of two-tenths of one percent (0.2%) by volume, and customer will make every reasonable effort to keep the gas free of oxygen.
  - h. Inerts: The gas shall not at any time contain in excess of four percent (4%) total inerts (the total combined carbon dioxide, nitrogen, oxygen and any other inert compound) by volume.
  - i. Hydrocarbons: For gas delivered at a pressure of 800 psig or less, the gas hydrocarbon dew point is not to exceed 45F at 400 psig or at the delivery pressure if the delivery pressure is below 400 psig. For gas delivered at a pressure higher than 800 psig, the gas hydrocarbon dew point is not to exceed 20F at a pressure of 400 psig.

T,N  
N

T  
|  
|  
T

T  
|  
|  
T

(Continued)

(TO BE INSERTED BY UTILITY)  
 ADVICE LETTER NO. 2665  
 DECISION NO.

ISSUED BY  
**William L. Reed**  
 Vice President  
 Chief Regulatory Officer

(TO BE INSERTED BY CAL. PUC)  
 DATE FILED Jan 16, 1998  
 EFFECTIVE Feb 25, 1998  
 RESOLUTION NO. \_\_\_\_\_

Rule No. 30

Sheet 11

TRANSPORTATION OF CUSTOMER-OWNED GAS

(Continued)

I. Gas Quality (continued)

2. (continued)

j. Dust, Gums and Other Objectionable Matter: The gas shall be commercially free from dust, gums and other foreign substances.

k. Hazardous Substances: The gas must not contain hazardous substances (including but not limited to toxic and/or carcinogenic substances and/or reproductive toxins) concentrations which would prevent or restrict the normal marketing of gas, be injurious to pipeline facilities, or which would present a health and/or safety hazard to Utility employees and/or the general public.

l. Delivery Temperature: The gas delivery temperature is not to be below 50F or above 105F.

m. Interchangeability: The gas shall meet American Gas Association's Wobbe Number, Lifting Index, Flashback Index and Yellow Tip Index interchangeability indices for high methane gas relative to a typical composition of gas in the Utility system near the points of receipt. Acceptable specification ranges are:

\* Wobbe Number (W for receiving facility)  
(WP for producer)  
 $0.9 W \leq WP \leq 1.1 W$

\* Lifting Index (IL)  
 $IL \leq 1.06$

\* Flashback Index (IF)  
 $IF \leq 1.2$

\* Yellow Tip Index (IY)  
 $IY \geq 0.8$

\* Specifications are in relation to a typical composition of gas serving the area to be supplied by the new source.

3. The Utility, at its option, may refuse to accept any gas tendered for transportation by the customer or on his behalf if such gas does not meet the specifications as set out in I. 1 and I. 2 above, as applicable.

(Continued)

(TO BE INSERTED BY UTILITY)  
ADVICE LETTER NO. 2665  
DECISION NO.

ISSUED BY  
**William L. Reed**  
Vice President  
Chief Regulatory Officer

(TO BE INSERTED BY CAL. PUC)  
DATE FILED Jan 16, 1998  
EFFECTIVE Feb 25, 1998  
RESOLUTION NO. \_\_\_\_\_



# Attachment AIR-2

## Sulfur Gas Tables

---



# SOUTHERN CALIFORNIA GAS COMPANY

## Sun Valley Energy Project

From 01/05 to 12/05 (grains S/100 cf)

| Out of State Suppliers<br>Location  | H <sub>2</sub> S |       |       | RSH   |       |       | Total Sulfur* |       |       |
|---|------------------|-------|-------|-------|-------|-------|---------------|-------|-------|
|   | Min              | Max   | Avg   | Min   | Max   | Avg   | Min           | Max   | Avg   |
| B1  | 0.000            | 0.018 | 0.007 | 0.027 | 0.115 | 0.060 | 0.042         | 0.131 | 0.067 |
| B2  | 0.000            | 0.018 | 0.005 | 0.030 | 0.130 | 0.064 | 0.046         | 0.145 | 0.069 |
| <i>Note: the Blythe entry points B1 and B2 are the most appropriate for the SVEP.</i> |                  |       |       |       |       |       |               |       |       |

Overall Avg: 0.068  
grains S/100 scf

From 01/05 to 12/05 (ppmv S)

| Out of State Suppliers<br>Location  | H <sub>2</sub> S |      |      | RSH  |      |      | Total Sulfur* |      |      |
|---|------------------|------|------|------|------|------|---------------|------|------|
|   | Min              | Max  | Avg  | Min  | Max  | Avg  | Min           | Max  | Avg  |
| B1  | 0.00             | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00          | 0.00 | 0.00 |
| B2  | 0.00             | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00          | 0.00 | 0.00 |
| <i>Note: the Blythe entry points B1 and B2 are the most appropriate for the SVEP.</i> |                  |      |      |      |      |      |               |      |      |

Overall Avg: 0.000  
ppmv S

Assuming 16.9 ppm = 1 grains S/Ccf

\* Includes estimated supplemental odorant based on border guidelines of 50/50 t-butyl mercaptan/thiophane

\*\* SoCalGas Specifications allow up to 0.25 gr.H<sub>2</sub>S/100scf and 0.75 gr. S/100scf Total Sulfur

*The enclosed is provided for information purposes only. The Gas Company has made reasonable efforts to ensure all information is correct and consistent with the applicable Tariffs. To the extent there is any conflict with the Tariffs, the Tariffs shall govern in all cases. In addition, neither The Gas Company's publication nor verbal representations thereof constitutes any statement, recommendation, endorsement, approval or guaranty (either express or implied) of any product or service. Moreover, The Gas Company shall not be responsible for errors or omissions in this publication, for claims or damages relating to the use thereof, even if it has been advised of the possibility of such damages.*



# Biological Resources (31-45)

---

## Western Riverside County Multi-Species Habitat Conservation Plan

31. *Please provide a detailed discussion of the approval process for participation in the WRCMSHCP and the SKRHCP.*

**Response:** There are two ways to participate in the Western Riverside County Multispecies Habitat Conservation Plan (WRCMSHCP). If the County issues a permit (such as a grading permit) for a project, the applicant can request participation under the WRCMSHCP. If the County does not issue a permit, then it is possible to apply for participation as a “special participating entity” through the Riverside County Regional Conservation Authority (Greg Neil, Deputy Director for the Riverside County Environmental Programs Department, personal communication). Participation in the HCP is a voluntary action typically taken only when an incidental take permit is required from the U.S. Fish and Wildlife Service (USFWS). All projects, however, are required to comply with the terms and conditions of the MSHCP in terms of surveys and other necessary mitigation, and avoidance measures as appropriate. According to the WRCMSHCP, the SVEP project area is located within an area for which protocol burrowing owl surveys are required before construction. There are no other requirements for the SVEP under the WRCMSHCP.

The Stephens’ Kangaroo Rat Habitat Conservation Plan (SKRHCP) is designed to acquire and permanently set aside, maintain, manage and fund conservation, preservation, restoration and enhancement of the Stephens’ kangaroo rat (SKR) and its habitat. The SKRHCP establishes suitable habitat areas where incidental take is permitted through a fee process and core reserve areas in occupied habitat where development projects are required to obtain individual permits. The SVEP is located within the Stephens’ kangaroo rat HCP fee area, and VSE will be required to pay a per-acre fee to participate in the HCP. An individual SKR incidental take permit is not required for SVEP.

## WRCMSHCP Compliance

32. *Please provide a detailed discussion of all actions that must be taken for the project to be in compliance with the WRCMSHCP, including a discussion of what actions have been taken by SVEP and a schedule of future actions that must be taken.*

**Response:** The project is not located within any of the criteria cells identified in the WRCMSHCP as core habitat areas or key migration corridors. Therefore, the only requirement necessary for the project to comply with the MSHCP is to conduct protocol level burrowing owl surveys and implement appropriate protection measures if owls are found in the vicinity of the project. Protocol burrowing owl surveys were completed for the project site and associated linear features on March 30, 2006. A copy of the technical report of this survey will be provided to the CEC in a separate filing. Preconstruction surveys will also be required for burrowing owls in the project area.

## WRCMSHCP Fees

33. *Please provide a discussion of how mitigation fees are determined under the WRCMSHCP and specific fee amounts that will be required for SVEP.*

**Response:** Mitigation fees under the WRCMSHCP will not be required because the SVEP is not located within any of the core habitat areas or key migration corridors. The SVEP and all other developments in western Riverside County, however, are required to pay a specific development fee that is called the “Multispecies Habitat Conservation Plan Mitigation Fee,” in accordance with County Ordinance 810.2. This is a development fee that is assessed independently of project-specific regulatory requirements for compliance with the Endangered Species Act. The fee is used to acquire habitat for species covered in the MSHCP. The fee amount for land that is zoned industrial is \$5,620 per acre.

## Stephens’ Kangaroo Rat HCP

34. *Please provide a detailed discussion of all actions that must be taken for the project to be in compliance with the SKRHCP, including a discussion of what actions have been taken by SVEP.*

**Response:** The project is located within the SKR habitat mitigation fee area established by Riverside County Ordinance 663.10. This ordinance requires payment of an SKR habitat mitigation fee of \$500.00 per gross acre for development projects within the designated fee area. There are no other specific requirements for the project to be in compliance with the SKRHCP.

## Stephens’ Kangaroo Rat HCP Compliance Schedule

35. *Please provide a schedule of future actions that must be taken for the project to be in compliance with the SKRHCP.*

**Response:** VSE will pay the mitigation fee to Riverside County at the time that a grading permit would normally be issued. No other action is required for the project to be in compliance with the SKRHCP.

## Habitat Conservation Agencies

36. *Please provide contact information for the specific individuals at the habitat conservation agencies responsible for approving SVEP’s participation in the WRCMSHCP and the SKRHCP.*

**Response:** The project would not require approval to participate in the WRCMSHCP (see responses to #31-33, above), and would participate in the SKRHCP by fee payment. Any approvals would be coordinated through the Western Riverside County Regional Conservation Authority (951-955-9700, Tom Mullen, Interim Executive Director).

## Habitat Conservation Agencies

37. *Please provide copies of any past and future correspondence related to issuance of incidental take permits.*

**Response:** Biological Opinions have been issued by USFWS to Riverside County for incidental take of listed species. The SVEP is located within the historic habitat of the Stephens’ kangaroo rat, a federally-listed species. The SVEP will request to be included under the provisions of the incidental take permit upon the issuance of a grading permit

and the payment of habitat mitigation fees. The SVEP will not require a project-specific incidental take permit because it will qualify to participate in the SKRHCP. The SVEP is not located within an area requiring an individual take permit under the WRCMSHCP.

## Biological Surveys

38. *Please provide a schedule for and the results of spring botanical surveys, burrowing owl surveys, and winter bird surveys.*

**Response:** Spring botanical surveys will be completed between April and July 2006 depending on blooming periods of special-status plants. Delayed rainfall in the project area has resulted in a later germination and blooming period. Nearby reference locations will be monitored to determine the most appropriate time to conduct botanical surveys.

Protocol-level burrowing owl surveys were completed for the project area and along the linear routes on March 30, 2006. Results of the survey will be provided to the CEC in a supplemental filing.

Winter bird and general wildlife surveys were completed on March 24, 2006. A report will be provided to the CEC in a supplemental filing.

## Burrowing Owl Mitigation Measures

39. *Please provide a detailed discussion of any mitigation measures required by the WRCMSHCP if burrowing owls or burrowing owl burrows are found during surveys.*

**Response:** Recommended mitigation measures from the Burrowing Owl Consortium include the following:

- Occupied burrows should not be disturbed during the nesting season, from February 1 through August 31, unless the California Department of Fish and Game (CDFG) verifies that the birds have not begun egg-laying and incubation, or that the juveniles from those burrows are foraging independently and capable of independent survival at an earlier date.
- When destruction of occupied burrows is unavoidable, burrows should be enhanced (enlarged or cleared of debris) or created (by installing artificial burrows) in a ratio of 1:1 in adjacent suitable habitat that is contiguous with the foraging habitat of the affected owls.
- If owls must be moved away from the disturbance area, passive relocation (see below) is preferable to trapping. A time period of at least one week is recommended to allow the owls to move and acclimate to alternate burrows.
- The mitigation committee recommends monitoring the success of mitigation programs as required in Assembly Bill 3180. A monitoring plan should include mitigation success criteria and an annual report should be submitted to CDFG.

## Impact Acreage

40. *Please provide exact acreage calculations for permanent and temporary impacts from construction of the power plant, the transmission line, the transmission tower, and any other project features that may impact special-status species habitat.*

**Response:** The permanent and temporary disturbance areas are as follows:

- Power Plant
  - Temporary disturbance of 26 acres (including laydown and construction parking)
  - Permanent disturbance of 22 acres (within the final project fenceline, not including the laydown and construction parking area)
- Transmission Line and Tower
  - Temporary disturbance of 1.6 acres (assumes 1,000 feet of 70-foot-wide right-of-way [ROW])
  - Permanent disturbance of 0.02 acres (assumes one 40' x 40' transmission tower base)
- Nonreclaimable Wastewater Line
  - Temporary disturbance of 0.64 acres (assumes a 70-foot-wide ROW for 400 feet between the power plant site and McLaughlin Road)
  - No permanent disturbance of the ground surface
- Natural Gas Line
  - Temporary disturbance of 1.2 acres (assumes a 70-foot-wide ROW for 750 feet)
  - No permanent disturbance of the ground surface

## Impact Acreage

41. *Please provide a discussion of how mitigation fees are determined under the SKRHCP and specific fee amounts that will be required for SVEP, including a discussion of the amount of disturbed land that will and will not require mitigation fees under the SKRHCP.*

**Response:** The project area is located within the SKR mitigation fee area established by Riverside County Ordinance 663.10. The ordinance states that for development projects, a fee of \$500.00 per gross acre will be paid for SKR mitigation. In the County's process, this fee is due when the County issues of a grading permit or a certificate of occupancy or upon final inspection, whichever occurs first. Other than fee payment, no further review and approval is required for mitigation of SKR habitat. Permanent disturbance associated with the project is enumerated in the response to #40 and would be approximately 22 acres.

For temporary disturbance associated with the project's linear features, no fees will be required per Section 10 (f), which states, "The construction of public utility transmission facilities where ground surface disturbance is minimal or where substantially all of the disturbed ground surface can be restored to its original condition as may be determined by the Planning Director. Said exemption shall not include substations, treatment facilities or

pumping stations.” Therefore, the SVEP’s required SKR mitigation fees would total \$11,000 (\$500/acre for 22 acres of permanent disturbance).

### Riverside County Ordinance 663.10

42. *Please provide a discussion of Riverside County Ordinance No. 663.10, its applicability to the SVEP, and a discussion of how SVEP will comply with the ordinance.*

**Response:** As stated above, SVEP will pay a mitigation fee for permanent impacts to habitat within the SKR fee area established by Riverside County Ordinance 663.10. The fee will be paid at the time that the County would normally issue a grading permit.

### Aquatic Resources Surveys

43. *Please provide the results of aquatic resources surveys.*

**Response:** Aquatic resource surveys were completed for the proposed project site and along the associated linear routes on March 24, 2006. No wetlands or aquatic resources were observed on the proposed project site. Intermittent, ephemeral drainages were observed along both the north and south sides of the existing unpaved roadways to the north of the project site, and along the non-reclaimable wastewater pipeline route. These drainages are generally characterized by discontinuous channels and surface flow areas that convey storm water runoff to the west. All linear features will be located within existing unpaved roads in these areas and will not affect water or aquatic resources.

### Corps of Engineers Correspondence

44. *Please provide copies of any official correspondence with the U.S. Army Corps of Engineers regarding wetlands and wetland delineation, including the wetland delineation report.*

**Response:** No wetlands were identified in the project area and the project will not involve the fill of any wetlands or waters of the U.S. Therefore, neither wetland delineation nor correspondence with the U.S. Army Corps of Engineers is required.

### BRMIMP Outline

45. *Please provide a detailed outline of a draft Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP), including the applicant’s proposed mitigation measures and any mitigation measures applicable under the SKRHCP, WRCMSHCP, and other LORS. At a minimum the BRMIMP outline should include the persons responsible for the BRMIMP implementation, agency contact information, potential compliance measures and habitat compensation, a Worker Environmental Awareness Program (WEAP), a schedule of proposed pre-construction biological resources surveys, post-construction surveys and landscaping, measures required during operation, temporary and permanent closure measures, and environmental compliance monitoring and a reporting plan.*

**Response:** The following is a detailed outline of the draft BRMIMP:

- 1.0 Introduction
  - 1.1 Background
  - 1.2 Project Site Location
  - 1.3 Project Description
  - 1.4 Purpose of the BRMIMP

- 2.0 Responsible Individuals
  - 2.1 California Energy Commission Compliance Project Manager
  - 2.2 Sun Valley Energy Project Compliance Manager
  - 2.3 Designated Biologist
  - 2.4 On-Site Biological Monitors
  - 2.5 Regulatory Agency Personnel
- 3.0 Conditions of Certification
  - 3.1 Worker Environmental Awareness Program (WEAP)
  - 3.2 Plan Modification Process
  - 3.3 Facility Closure Plan
  - 3.4 Herbicides and Pesticides
- 4.0 Protection Measures for Sensitive Biological Resources within the Project Areas
  - 4.1 Mobilization and Site Preparation
    - 4.1.1 Sun Valley Energy Project Site
    - 4.1.2 Electric Transmission Line
    - 4.1.3 Natural Gas and Nonreclaimable Wastewater Lines
  - 4.2 Special-Status Species Protection Measures
    - 4.2.1 Stephens' Kangaroo Rat
    - 4.2.2 Burrowing Owl
  - 4.3 Construction Restrictions
  - 4.4 Permits Required
  - 4.5 Erosion Control and Revegetation
- 5.0 Implementation Schedule
- 6.0 Implementation Monitoring/Verification Program
- 7.0 References

# Cultural Resources (46-56)

---

## Riverside County LORS

46. *Please provide a summary of Riverside County LORS that pertain to cultural resources and explain whether and how they pertain to the SVEP.*

**Response:** The County of Riverside has drafted its own requirements regarding the preparation of cultural resources reports for privately initiated development projects (updated March 1993), entitled, Requirements for the Preparation and Review of Archaeological and Biological Reports. Riverside County's Ordinance No. 578.4 outlines requirements for establishment of historic preservation districts, but the SVEP project does not affect any historic districts and the ordinance is not applicable. No other county ordinances or requirements regarding cultural resources apply.

## DPR-523 Forms

47. *Under confidential cover, please provide copies of the Department of Parks and Recreation (DPR) forms 523 for the six previously recorded sites obtained from the CHRIS and discussed in AFC subsection 8.3.1.5.1. Two sets of copies of these confidential materials will be sufficient.*

**Response:** Two copies each of DPR forms for 6 sites listed in the records search are provided as an attachment under confidential cover.

## Technical Reports

48. *Under confidential cover, please provide copies of the seven previous technical reports (omitted from subsection 8.3.8, "References Cited or Consulted") obtained from the CHRIS and listed in Table 8.3-1 only as:*

*Wells (1975)  
Greenwood (1980)  
Rector (1981)  
McCarthy (1983)  
Bouscaren (1984)  
Drover (1988)  
Smith (2000)*

*Two sets of copies of these confidential materials will be sufficient.*

**Response:** Complete references for technical reports cited in record search (Wells [1975]; Greenwood [1980]; Rector [1981]; McCarthy [1983]; Bouscaren [1984]; Drover [1988]; Smith [2000]) are provided below. We do not have copies of these technical reports, and the CHRIS information centers do not typically provide full copies as part of a standard records search request.

*Bouscaren, Stephen and Daniel McCarthy. 1984. An Archaeological Assessment of the Proposed Dever-Valley 500 KV Transmission Line and Corridor and the Proposed Valley-Auld-Skylark 115 KV T/L Corridor, Riverside County, California.  
Archaeological Research Unit, U.C. Riverside, Submitted to private. Contract*

No. ARU #767. Unpublished report on file at UCR, Eastern Information Center, Riverside, CA 92501

Drover, C.E. 1988. *A Cultural Resource Inventory, Menifee Ranch Specific Plan Project Near Romoland, California*. Author(s). Submitted to private. Unpublished report on file at UCR, Eastern Information Center, Riverside, CA 92501

Greenwood, Roberta S. 1980. *Cultural Resource Overview for the Devers Substation to Serrano Substation Transmission Route Alternates Corridor Right-of-Way*. Greenwood and Associates. Submitted to private. Unpublished report on file at UCR, Eastern Information Center, Riverside, CA 92521

McCarthy, Daniel F. 1983. *Archaeological Assessment of the Proposed Homeland-Green Acres Pollution Project No. C-06-2886, Eastern Municipal Water District, Riverside County, California*. Archaeological Research Unit, U.C. Riverside. Submitted to private (Eastern Municipal Water District). Contract No. ARU #722. Unpublished report on file at UCR, Eastern Information Center, Riverside, CA 92501

Rector, Carol. 1981. *An Archaeological Assessment of TP 17704, SE of Anza in Riverside County, California*. Archaeological Research Unit, U.C. Riverside, Submitted to private unpublished report on file at UCR, Eastern Information Center, Riverside, CA 92521

Smith, Brian F. and Johanna L. Buysse. 2000. *An Archaeological/History Study for the Menifee Ranch Project, Perris Valley, County of Riverside – Specific Plan Number 301, Amendment #1*. Brian F. Smith and Associates. Submitted to PRI. Unpublished report on file at UCR, Eastern Information Center, U.C. Riverside, CA 92521

Wells, Helen. 1975. *Archaeological Impact Report: Eastern Municipal Water District, Riverside County, California, PL 984 Water Systems Addition*. Archaeological Research Unit, U.C. Riverside. Submitted to private (Eastern Municipal Water District). Unpublished report on file at UCR, Eastern Information Center, Riverside, CA 92521

## Archaeological Survey

49. Please submit the following information (under confidential cover if site locations are included) on all archaeological survey(s) conducted by the applicant for this project.

a. Personnel, coverage, methods, and results of survey(s) –

- i. *Pre-Application Survey. The methods discussion should describe how the survey transects/intervals specified in the AFC were applied to each linear facility (transmission line, natural gas pipeline, water supply pipelines, and non-reclaimable water discharge pipeline), i.e., were the transects arrayed parallel or perpendicular to the routes? If the survey coverage was less than 100% of a 200-foot corridor centered on the linear alignments, or less than 100% of the plant site plus a surrounding 200-foot buffer zone, staff recommends that an additional survey should be completed to attain this coverage and the results should be provided. If this degree of coverage cannot be attained, please explain the limitations.*

- ii. *Additional, Pre-Certification Survey. If any areas in addition to the plant site and linear facilities routes will be utilized or altered by the project (for example, worker parking areas), and they have not been surveyed for cultural resources, please conduct an archaeological survey for each such area and provide the results.*
  - iii. *Add to AFC Figure 8.3-1 the percentage of survey coverage and percentage of ground visibility (distinguished graphically) and the locations of all identified archaeological resources (see part b.(i.) of this question, below) in relation to the footprints of all project components.*
  - iv. *Please provide the resumes of all persons who participated in the survey(s). If the person who conducted or directed the survey(s) does not meet the Secretary of the Interior's Professional Qualifications Standards for archaeology, a re-survey by a qualified person may be necessary.*
  - v. *Please provide copies of DPR 523 forms for all archaeological resources identified in all current project survey(s). If a resource could be impacted by the project, its form should contain a discussion of its eligibility for the California Register of Historical Resources (CRHR). Two sets of copies of these confidential materials will be sufficient.*
- b. *Information obtained by contacting local archaeological societies. Provide a list of archaeological resources identified through these sources located within ½ mile of the SVEP site.*
- i. *Plot the locations of the identified resources on the map requested in part a. (iii) of this question, above.*
  - ii. *Copies of any information documenting the resources (DPR 523s, reports, field notes).*

**Response:** 49a(i). The project would have no direct impact to lands outside the project site boundary and, for that reason, archaeological survey was restricted to the impact area within the project boundary. Surveys for historic buildings, on which the project might have a visual impact, were reconnaissance-level surveys that extended for ½ mile beyond the project boundary.

Off-site linear facilities (natural gas pipeline, transmission line, and non-reclaimable water line) were surveyed for archaeological sites using two 15-meter transects arrayed parallel to the centerline to inspect the centerline and 50 feet on each side. This encompasses the potential direct impact area, along with a reasonable construction disturbance buffer. There is no potential for impact from either installation or operation of these linear facilities outside of the 100-foot corridor. In addition, VSE does not control or have access to the land outside of the SVEP intended footprint.

49a(ii). All components of the SVEP that will be utilized or altered were included in the cultural resources survey. Worker parking areas will be located within the project parcel.

49a(iii). An updated Figure 8.3-1 is being provided under confidential cover. The figure has been updated to depict the location of the newly-recorded BNSF railroad segment, site 33-9724, 33-9725, 33-9726, CA-RIV-6846H, CA-RIV-7129, and CA-RIV-7130. These cultural resources were identified in the CHRIS literature search within ½ mile of the project.

49a(iv). Mr. Clint Helton M.A., RPA of CH2M HILL meets the Secretary of the Interior's Professional Qualifications Standards and he performed the pedestrian archaeological survey. Mr. Helton's resume was provided (see AFC Appendix 8.3B).

49a(v). A DPR 523 form was completed for the BNSF Railroad and is attached (Attachment CR-1).

49b. A map showing the locations of the previously recorded cultural resources is being provided separately under a request for confidentiality as Figure DR49b-1. A summary table of attempts to contact local historical societies is attached. No responses have been received as of 4/5/06 (Attachment CR-2).

## Architectural Survey

50. *Please submit the following information on the architectural survey(s) conducted by the applicant for this project.*
- a. *The date(s) of the survey(s), the names of the personnel carrying out the survey(s), a delineation of the survey areas, a description of the methods used (including how the ages of the structures adjacent to the proposed project components were determined), and the results of new and/or additional surveys.*
    - i. *Pre-Application Survey. Under "Architectural Reconnaissance," the AFC indicates that the applicant reconnoitered the project parcel, the "immediate project area," and "along" the natural gas pipeline and non-reclaimable waste water line, but identified no standing buildings or structures older than 45 years except for the BNSF Railway (pp. 8.3-14, 15). If the survey did not include other commonly overlooked linear facilities and related structures (roads, bridges, tunnels, culverts, dams, canals, irrigation systems, pumping stations, transmission lines, electrical substations) that are located within ½ mile of the SVEP site and that could be more than 45 years old, staff recommends that an additional survey should be conducted to identify these resources and the results should be provided.*
    - ii. *Additional, Pre-Certification Survey. If any areas in addition to the plant site and linear facility routes will be utilized or altered by the project (such as worker parking areas), and they have not been surveyed for architectural resources, please conduct architectural survey for each such area and provide results.*
  - b. *Add the locations of the architecturally surveyed areas and all identified architectural resources to AFC Figure 8.3-1 (see part f. (i.) of this question, below), in relation to the footprints of all project components.*
  - c. *Please provide the resume of the architectural historian who conducted or directed the survey(s) and made the age and/or eligibility assessments for the identified cultural resources. If that person does not meet the Secretary of the Interior's Professional Qualifications Standards, a re-survey by a qualified person may be necessary.*
  - d. *Please provide copies of DPR 523 forms for all architectural resources (including infrastructure) identified in all surveys. If a resource could be impacted by the project, Part B of the 523 form should be filled out and should contain a discussion of the resource's eligibility for the CRHR, completed by a qualified architectural historian*

*(meeting the criteria of the Secretary of the Interior's Professional Qualifications Standards for architectural history) or a historian with a specialty in industrial or agricultural history.*

- e. *From Riverside County, City of Perris, City of Hemet local inventories or registers, or from local historical societies, please provide a list of architectural resources identified through these sources located within ½ mile of the SVEP site.*
  - i. *Please plot the locations of the architectural resources identified through local historical societies and county and city registers or inventories, on the map requested in part b. of this question, above.*
  - ii. *Please provide copies of any information documenting the architectural resources identified through local historical societies and county and city registers or inventories (DPR 523s, reports).*
- f. *Please provide a discussion (more detailed than in the AFC), recordation (or updating of existing record), and evaluation of the BNSF Railway, a structure older than 45 years which forms the northern boundary of the SVEP plant site and which is possibly significant for its role in bringing permanent American settlement to the area. A qualified architectural historian (meeting the criteria of the Secretary of the Interior's Professional Qualifications Standards for architectural history) or a historian with a specialty in industrial or transportation history should complete or direct the completion/updating of a DPR 523 form (Parts A and B) for this resource, and a copy should be included.*

**Response:** 50a(i). One historical property (buildings or structures over 45 years old) was located during cultural resources inventories for the project – the BNSF railroad right-of-way immediately north borders of the project site. Both the 1953-1979 photorevised Romoland USGS 7.5 minute quadrangle and a 1967 aerial photograph depict the project area and locations of linear facilities as agricultural land with little or no local development (see Attachment CR-3, Historical Aerial Photographs and Attachment CR-4, Historical Topographic Maps). There do not appear to be any aboveground structures present within at least ¼ mile of the linears and ½ mile of the plant site. No resources over 45 years are apparent.

50a(ii). All project components that will be utilized or altered were included in the cultural resources survey. The worker parking will be entirely on site.

50b. An updated Figure 8.3-1 is being provided under confidential cover as Figure DR47b-1. The figure has been updated to depict the location of the newly-recorded BNSF railroad segment, site 33-9724, 33-9725, 33-9726, CA-RIV-6846H, CA-RIV-7129, and CA-RIV-7130. These cultural resources were identified in the CHRIS literature search within ½ mile of the project.

50c. The resume for Peggy Beedle of Applied Earthworks is attached (Attachment CR-5) Ms. Beedle meets the Secretary of the Interior's Professional Qualifications Standards for architectural history and she performed the recordation of the BNSF railroad and prepared the site record.

50d. A DPR 523 form was completed for the segment of the BNSF railroad that is adjacent to the project. This railroad segment is recommended as potentially eligible for listing in the National Register of Historic Places and California Register of Historical Resources because of its association with broad patterns in our history and its good material state of preservation. The project's effects on this property, however, would not be adverse effects. The SVEP's direct effect would be to install a temporary railroad crossing over the railroad during the construction phase and this would be a negligible effect on the material integrity of the railway.

The project would also affect the setting of the BNSF. This railroad segment, however, is significant for its association with the agricultural and commercial development of the Perris Valley and not because of a setting that would be reminiscent of a previous place and time. The setting of the railroad has been dramatically altered over the years by industrial and residential development. Any effects of the project on the BNSF Railway's setting would therefore not diminish the significance of this property and would be less than significant.

50e. A summary table of attempts to contact local historical societies is attached (Attachment CR-2). No responses from these groups have been received as of 4/5/06. Both the 1953 (1979 photorevised) Romoland USGS 7.5-minute quadrangle and a 1967 aerial photograph depict the project area and location of linear facilities as agricultural land (see Attachments CR-3 and CR-4). There do not appear to be any aboveground structures within at least ¼ mile of the linears (non-reclaimable wastewater pipeline, transmission line, natural gas pipeline) and within ½ mile of the plant site.

50f. See responses to #50c and #50d.

## Aerial Photographs and Topographic Maps

51. *Please provide photographic-quality color (for maps) copies of the following aerial photographs and historic maps cited in AFC Volume 2, Section 8.14:*

- a. *Aerial Photographs: 1938, 1953, 1967, 1980, 1989, 1994, and 2002*
- b. *Topographic Maps: 1901, 1947, 1953, 1973, and 1979*

**Response:** Historic aerial photographs and topographic maps are attached as requested (Attachments CR-3 and CR-4)

## Native American Consultation

52. *Please provide the following materials regarding Native American contacts:*

- a. *A copy of the letter and map showing the SVEP which CH2MHill sent to the Native Americans on the Native American Heritage Commission (NAHC) list of those wanting to be notified about projects in this area.*
- b. *Update of Appendix 8.3A with copies of any written responses received from Native Americans since the AFC was submitted. If any further responses were received by telephone, please provide written summaries of the conversations.*
- c. *Update of Appendix 8.3A with copies of telephone logs of applicant's follow-up telephone calls, advised by the NAHC, to those Native Americans who have not yet responded to letters, evidencing that the letters were received and documenting any additional information provided by the Native Americans.*

**Response:** 52a. A copy of the letter and map sent to contacts listed in the response letter from the NAHC is attached (Attachment CR-6)

52b. All individuals and groups listed in the NAHC response letter were contacted by CH2M HILL. A comprehensive updated summary table of contacts with Native Americans is attached. Copies of all response letters received as of 4/5/06 are attached (Attachment CR-6).

52c. All individuals and groups listed in the NAHC response letter were contacted by CH2M HILL. A comprehensive updated summary table of telephone contacts with Native Americans is attached (Attachment CR-6).

## Native American Concerns

53. *Please provide a discussion of the steps the applicant is taking or will take to address the concerns expressed by Native American groups and individuals.*

**Response:** Several letters expressed concerns that buried archaeological deposits might be present at the project site. Four groups requested the presence of a Native American monitor during the construction phase of the SVEP. Three responses included a request to be sent a copy of the archaeological report and/or a copy of the CHRIS literature search report.

## Off-Site Project Areas

54. *Please provide the location and planned use for any additional off-site areas that may be altered or used for some SVEP-related purpose. If any of these have not been surveyed for cultural resources, see the above request regarding additional surveys. Please depict each such area on a map at a scale of 1:24,000 and describe all ground-disturbing activities which will occur there. Also, please describe all ground disturbance expected at the laydown area.*

**Response:** All project components that will be utilized or altered were included in the cultural resources survey. There is no off-site worker parking.

## Excavation Depths

55. *Please identify the maximum and average depth of excavation at the plant site for construction of the proposed project. Please also discuss the maximum depth and width of excavations for the non-reclaimable water discharge pipeline trench. Please address whether the pipeline will be located on the shoulder or in the middle of the roads.*

**Response:** The project has performed a site-specific geotechnical study that indicates groundwater depths between 27 and 32 feet below the surface. The report recommends that at least 36 inches of existing soil be removed over the entire site to observe the underlying soil. It is also recommended that any undocumented fill be removed and replaced with properly compacted fill. Fill was not encountered in the exploratory borings to the maximum depths attained. Maximum and average excavation depths are expected to be 7 feet and 2 feet, respectively, for foundations and 12 feet and 7 feet, respectively, for the underground cooling water piping. The maximum depth and width for the non-reclaimable wastewater discharge pipeline trench are expected to be 7 feet and 16 feet, respectively. The pipeline is planned to be located in the shoulder of the McLaughlin Road.

## Cumulative Impacts

56. *Please describe all other projects within a ½-mile radius of the SVEP, including the status of their construction and their potential impacts to cultural resources. Also, please depict and label those projects on a map at a scale of 1:24,000 and provide this map to staff. Finally, please provide a discussion of the potential cumulative impacts to cultural resources of the SVEP in combination with impacts from the other projects planned or already underway in the area.*

**Response:** The AFC did not consider the potential effects of cumulative impacts on cultural resources because there are no significant cultural resources on which the project would have any adverse affect. Cumulative impacts are impacts of the project that may be insignificant but that could reach a level of significance when combined with the effects of other projects. If the project would cause no adverse impacts, then it could not contribute to cumulative impacts.

# Attachment CR-1

DPR-523 Form, BNSF Railroad

---



State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**PRIMARY RECORD**

Primary #  
HRI #  
Trinomial  
NRHP Status Code

Other Listings  
Review Code

Reviewer

Date

\*Resource Name or #: (Assigned by recorder) BNSF Railroad

Page 1 of 7

**P1. Other Identifier:**

\*P2. **Location:** \*a. County Riverside  Not for Publication  Unrestricted  
\*b. USGS 7.5' Quad Romoland Date 1953 (1979)  
T 5S; R 3W; NE ¼ of SE ¼ of Sec 14; S.B.B.M.

c. Address: None

City

Zip

d. UTM Zone 11, mE/ mN

e. **Other Locational Data** (e.g., parcel #, legal description, directions to resource, additional UTM's, etc., when appropriate): From Highway 74, turn south on Menifee Road approximately 3/4 mile.

\*P3a. **Description** (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries):

The Burlington Northern Santa Fe Railroad travels along the northern boundary of the project site. It is a standard gauge single track railroad. The berm is approximately four feet high. Matthews Road follows the north side of the track; the grade on this side of the railroad is slightly higher than that on the south side. A spur line connects from the north; the connector switch is still extant. A 48-inch diameter, corrugated metal culvert is set under the spur line and parallel to the main line. The rails are standard size, with wood ties. There are railroad crossing signals at the intersection of the railroad and Menifee Road, and where the spur line crosses Matthews Road. These indicate the change from the traditional crossing sign on Matthews to the mechanized signal at Menifee.

In 1887 C. W. Smith and Fred Perris of the California Southern Railroad, and J. A. Green incorporated the San Jacinto Valley Railway. The railroad was constructed in 1888. It traveled southeast from Perris, then east across the valley, gradually curving northeast to its terminus at San Jacinto. Winchester and Hemet were the major towns along the line. The original townsite of Hemet was moved west so that it would be located on the rail line. The railroad connected the eastern part of the valley to Perris, where it met the California Southern Railroad. This ensured transportation of valley products to markets in Los Angeles and San Diego. Many of the ranches that were located along the rail line had their own sidings, where the farm products were directly loaded onto the trains. The railroad also provided passenger service to Los Angeles. Later the route was taken over by the Atchison, Topeka and Santa Fe Railroad.

\*P3b. **Resource Attributes** (List all attributes and codes): HP 11 Engineering Structure: Railroad

\*P4. **Resources Present:**  Building  Structure  Object  Site  District  Element of District  
 Other:

**P5. Photograph or Drawing:** (Photograph required for buildings, structures, and objects.)

\*P6. **Date Constructed/Age and Source:**  Prehistoric  Historic  Both

\*P7. **Owner and Address:** BNSF

\*P8. **Recorded by** (Name, affiliation, address): Peggy Beedle, Applied EarthWorks, Inc., 3292 E. Florida Ave., Suite A, Hemet, CA 92544.

**P9. Date Recorded:** March 29, 2006

\*P10. **Type of Survey:**  Intensive  Reconnaissance  Other  
**Describe:**

**\*P11. Report Citation** (Provide full citation or enter "none"): CH2M HILL. 2006. Application for Certification submitted to the California Energy Commission for the Sun Valley Energy Project (05-AFC-3).

**Attachments:**  None  Location Map  Sketch Map  Continuation Sheet  Building, Structure, and Object Record  Archaeological Record  District Record  Linear Feature Record  Milling Station Record  Rock Art Record  Artifact Record  Photograph Record  Other:

Page 3 of 7

\*Resource Name or # (Assigned by recorder)

\*Recorded by P. Beedle

\*Date 29 March 2006

Continuation  Update



BNSF Railroad from Menifee Road, facing west.



Railroad connector switch, facing southwest.

Page 4 of 7 \*Resource Name or # (Assigned by recorder)  
\*Recorded by P. Beedle \*Date 29 March 2006  Continuation  Update

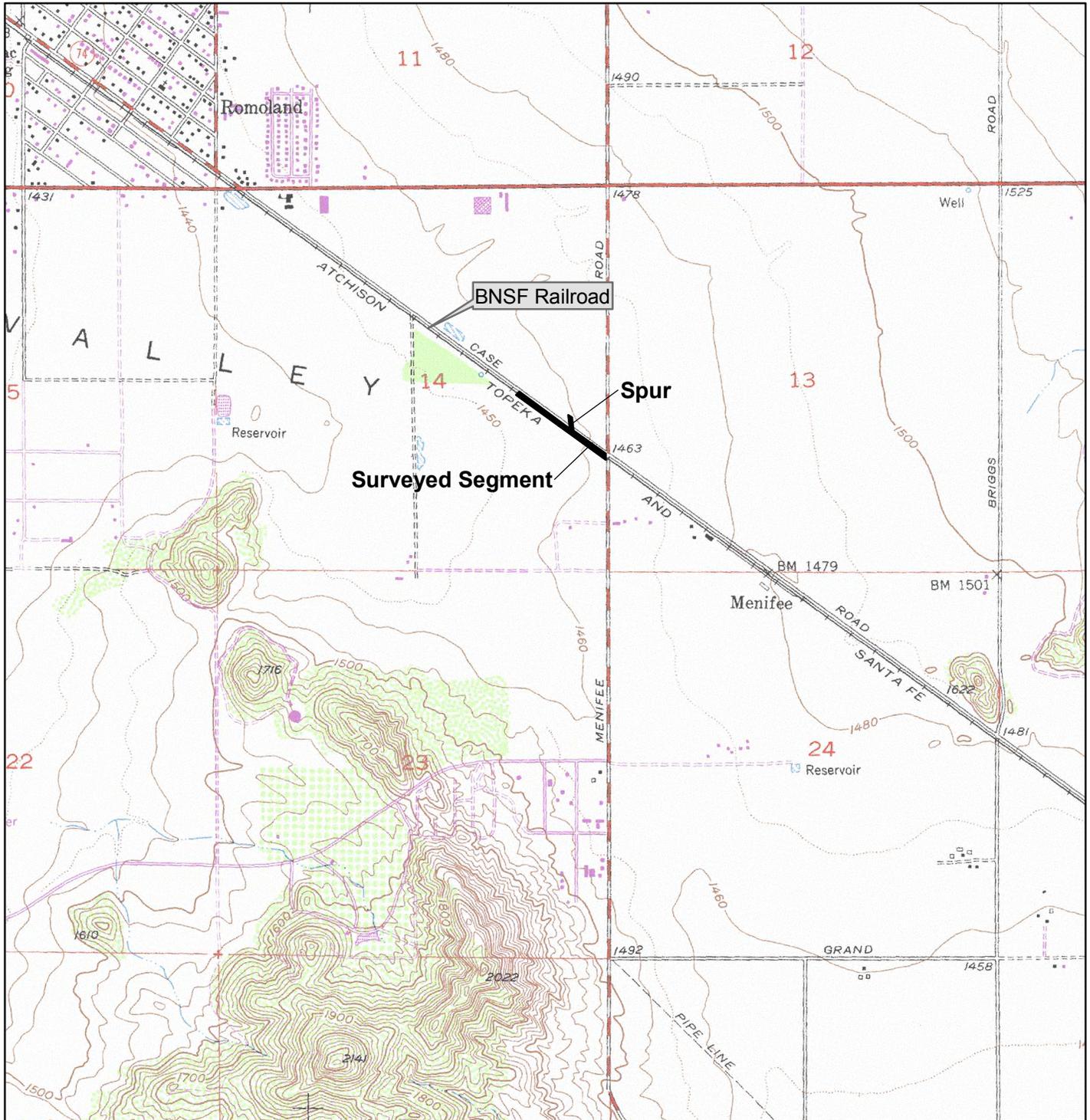
---



Railroad spur, facing southeast.



Intersection of BNSF and Menifee Road, facing north.



TRUE NORTH

**BUILDING, STRUCTURE, AND OBJECT RECORD**

**B1. Historic Name:** San Jacinto Valley Railway

**B2. Common Name:** BNSF

**B3. Original Use:** Railroad

**B4. Present Use:** Not In Use

\***B5. Architectural Style:** N/A

\***B6. Construction History (construction date, alterations, and dates of alterations):** 1888

\***B7. Moved?:**  No  Yes Unknown Date: Original Location:

\***B8. Related Features:** railroad spur, culvert, crossing signs

**B9. a. Architect:** Unknown.

**b. Builder:** Fred Perris

\***B10. Significance:** Theme: Transportation: Railroads

Area: San Jacinto Valley

Period of Significance: 1888-1956

Property Type: Railroad track

Applicable Criteria: A

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The San Jacinto Valley Railroad connected the San Jacinto Valley with Perris and the rest of southern California. The railroad ensured the successful development of valley towns such as Hemet, and became the primary method of transport of valley agricultural products to market. The construction of modern highways lessened the impact of the railroad. The segment of the railroad that was surveyed has good integrity. The rails, ties, culvert, and signage have integrity of location, design, materials, workmanship, feeling and association. The setting of the surveyed segment has been negatively impacted by intrusive industrial construction. The railroad is recommended to be eligible for the National Register of Historic Places and California Register as a locally significant resource, because of its contribution to the growth and development of the San Jacinto Valley.

**B11. Additional Resource Attributes (list attributes and codes):** HP 11 Engineering Structure: Railroad

\***B12. References:**

Farrar, Irwin E. 1974 *Riverside County Water Pioneer*. University of California, Los Angeles Oral History Program.

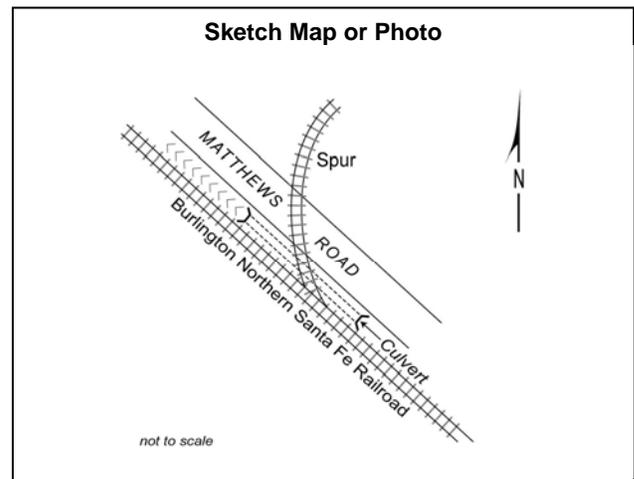
Lech, Steve 2004 *Along the Old Roads: A History of the Portion of Southern California That Became Riverside County 1772-1893*.

**B13. Remarks:**

\***B14. Evaluator:** P. Beedle, Applied EarthWorks, Inc., 3292 E. Florida Ave., Suite A, Hemet, CA 92544.

**Date of Evaluation:** March 29, 2006

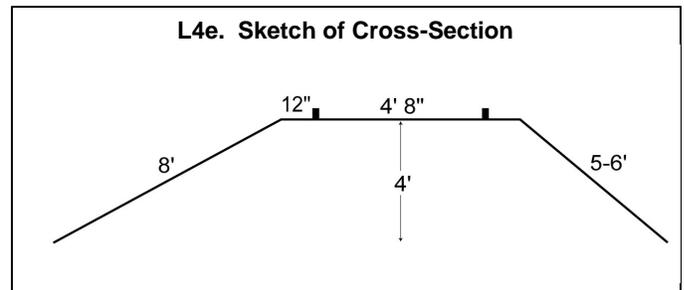
This space reserved for official comments.



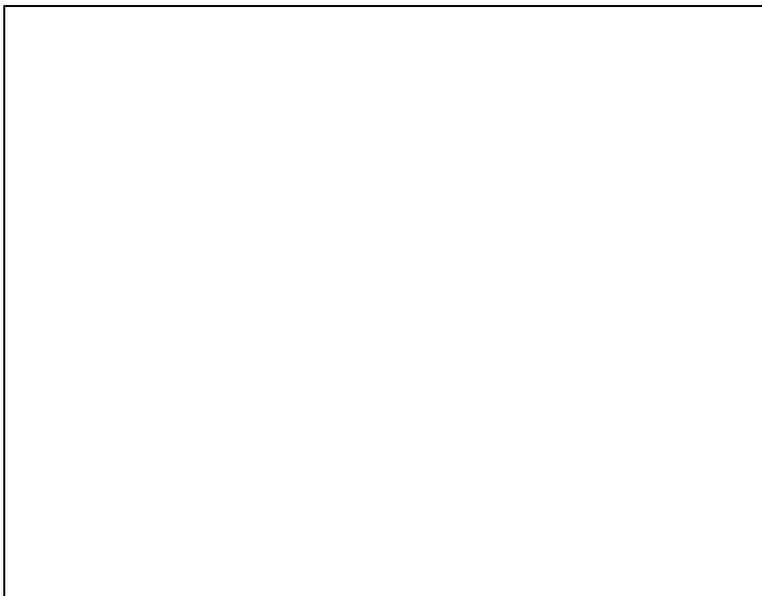
- L1. Historic and/or Common Name:** San Jacinto Valley Railway
- L2a. Portion Described:**  Entire Resource  Segment  Point Observation **Designation:**
- b. Location of point or segment** (Provide UTM coordinates, legal description, and any other useful locational data. Show the area that has been field inspected on a Location Map):  
The surveyed segment is located in the NE ¼ of the SE ¼ of Section 14, T5S, R3W S.B.B.M.
- L3. Description** (Describe construction details, materials, and artifacts found at this segment/point. Provide plans/sections as appropriate):

The railroad segments consists of a single track of standard gauge, with a spur line that connects from the north. The berm is about 4 feet high, with the road grade on the north higher than the grade on the south side. A corrugated metal culvert is set parallel to the railroad under the spur connection. Mechanized crossing signals are at the intersection of the railroad and Menifee Road. The crossing signal at the spur and Matthews Road, which is no longer in use, is the traditional black-and-white crossing sign.

- L4. Dimensions** (In feet for historic features and meters for prehistoric features):
- a. Top width** 6 feet, 8 inches
  - b. Bottom width** 20 feet
  - c. Height or Depth** 4 feet
  - d. Length of Segment** ¼ mile



- L5. Associated Resources:** railroad spur, culvert, crossing signals
- L6. Setting** (Describe natural features, landscape characteristics, slope, etc., as appropriate): The railroad traverses the San Jacinto Valley. The surveyed segment runs through flat land in Perris Valley, that was traditionally farmland, although industrial development is occurring. A substation is located north of the segment, and a wood recycling plant is to the west on Matthews Road.
- L7. Integrity Considerations:** The San Jacinto Valley Railway, now BNSF, has retained integrity of location, design, setting, materials, workmanship, feeling and association.
- L8a. Photograph, Map, or Drawing:**
- L8b. Description of Photo, Map, or Drawing** (View, scale, etc.):



- L9. Remarks:** None.
- L10. Form Prepared by** (Name, affiliation, and address): P. Beedle, Applied EarthWorks, Inc., 3292 E. Florida Ave., Suite A, Hemet, CA 92544.
- L11. Date:** 29 March 2006



# Attachment CR-2

## Local Historical Society Contacts

---



**SUN VALLEY ENERGY PROJECT  
PHONE CALL**

| <b>HISTORICAL SOCIETY / ORGANIZATION</b>   | <b>DATE &amp; TIME</b>   | <b>COMMENTS SUMMARY</b>             |
|--|--|-------------------------------------|
| <b>Riverside County Historical Commission</b><br>4600 Crestmore Road<br>Riverside, CA 92519<br>(909) 955-4306<br><a href="http://www.riversidecountyparks.org">http://www.riversidecountyparks.org</a> | 3/28/06<br><br>11:30 am<br><br>Left message for Mark Brewer, Planner,<br>in voicemail. | <br><br><b>No Comments Received</b> |
| <b>Perris Valley Historical Museum and Association</b><br>P.O. Box 343<br>Perris, CA 92572<br>(951) 657-7985   | 3/28/06<br><br>11:39 am<br><br>No answer.  | <br><br><b>No Comments Received</b> |



# Attachment CR-3

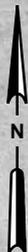
Historic Aerial Photographs

---





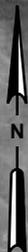
Approximate  
Site Location



**1938 HISTORIC PHOTO**  
SUN VALLEY ENERGY PARK  
ROMOLAND, CALIFORNIA



Approximate  
Site Location

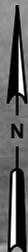


**1967 HISTORIC PHOTO**  
SUN VALLEY ENERGY PARK  
ROMOLAND, CALIFORNIA

**CH2MHILL**

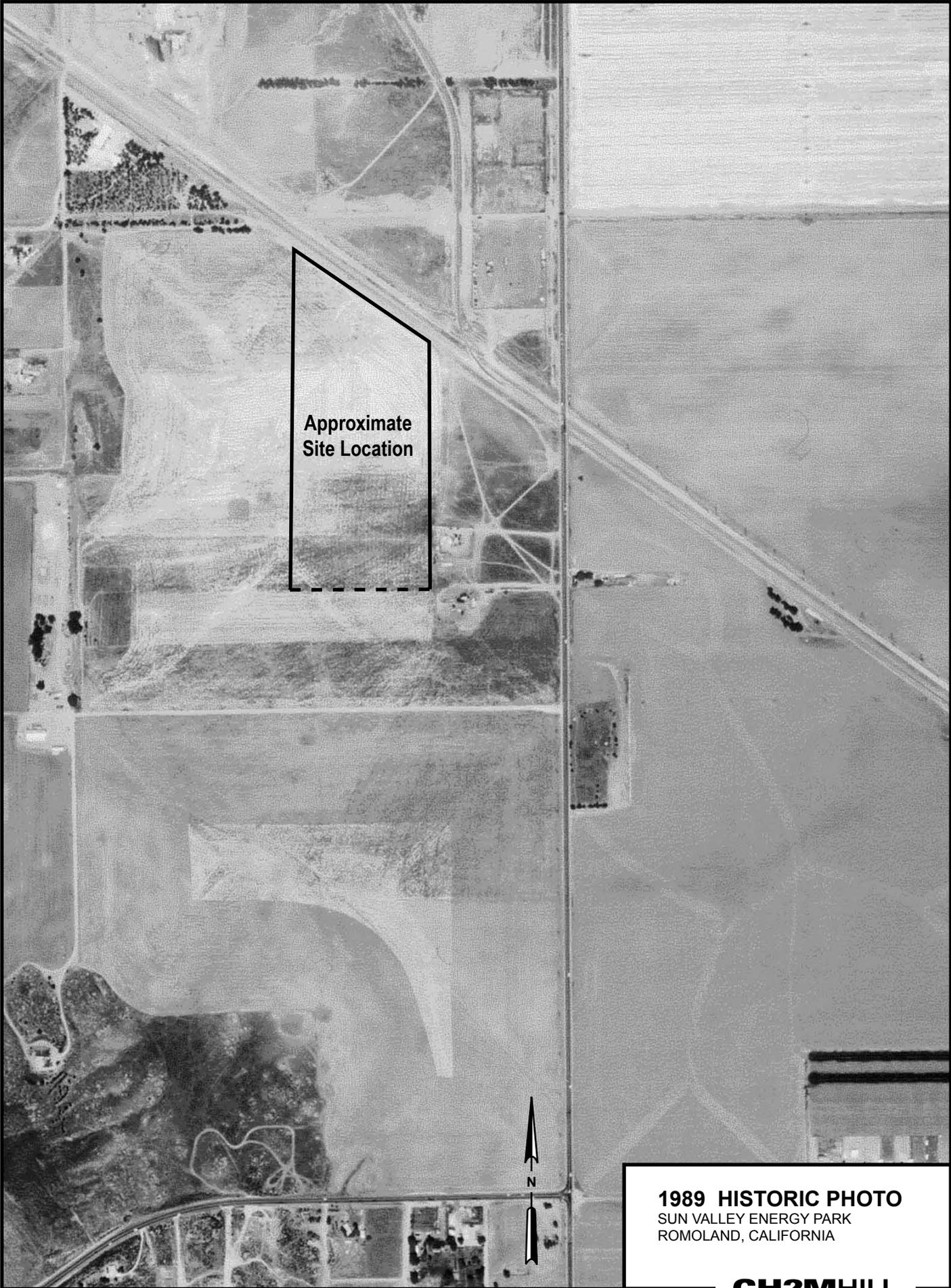


Approximate  
Site Location



**1980 HISTORIC PHOTO**  
SUN VALLEY ENERGY PARK  
ROMOLAND, CALIFORNIA

**CH2MHILL**



Approximate  
Site Location

**1989 HISTORIC PHOTO**  
SUN VALLEY ENERGY PARK  
ROMOLAND, CALIFORNIA

**CH2MHILL**



Approximate  
Site Location

**1994 HISTORIC PHOTO**  
SUN VALLEY ENERGY PARK  
ROMOLAND, CALIFORNIA

**CH2MHILL**



Approximate  
Site Location

**2002 HISTORIC PHOTO**  
SUN VALLEY ENERGY PARK  
ROMOLAND, CALIFORNIA

**CH2MHILL**

Attachment CR-4  
Historic Topographic Maps

---





**EDR™** Environmental  
Data Resources Inc

## **EDR Historical Topographic Map Report**

**Valley Substation  
Menifee Rd/Rouse Rd  
Romoland, CA 92585**

**Inquiry Number: 1414380.10**

**May 05, 2005**

### **The Standard in Environmental Risk Management Information**

440 Wheelers Farms Road  
Milford, Connecticut 06460

#### **Nationwide Customer Service**

Telephone: 1-800-352-0050  
Fax: 1-800-231-6802  
Internet: [www.edrnet.com](http://www.edrnet.com)

## EDR Historical Topographic Map Report

Environmental Data Resources, Inc.'s (EDR) Historical Topographic Map Report is designed to assist professionals in evaluating potential liability on a target property, and its surrounding area, resulting from past activities. ASTM E 1527-00, Section 7.3 on Historical Use Information, identifies the prior use requirements for a Phase I environmental site assessment. The ASTM standard requires a review of *reasonably ascertainable standard historical sources*. *Reasonably ascertainable is defined as information that is publicly available, obtainable from a source with reasonable time and cost constraints, and practically reviewable.* To meet the prior use requirements of ASTM E 1527-00, Section 7.3.4, the following *standard historical sources* may be used: aerial photographs, city directories, fire insurance maps, topographic maps, property tax files, land title records (although these cannot be the sole historical source consulted), building department records, or zoning/and use records. ASTM E 1527-00 requires *"All obvious uses of the property shall be identified from the present, back to the property's obvious first developed use, or back to 1940, whichever is earlier. This task requires reviewing only as many of the standard historical sources as are necessary, and that are reasonably ascertainable and likely to be useful."* (ASTM E 1527-00, Section 7.3.2 page 12.)

EDR's Historical Topographic Map Report includes a search of available public and private color historical topographic map collections.

### Topographic Maps

A topographic map (topo) is a color coded line-and-symbol representation of natural and selected artificial features plotted to a scale. Topos show the shape, elevation, and development of the terrain in precise detail by using contour lines and color coded symbols. Many features are shown by lines that may be straight, curved, solid, dashed, dotted, or in any combination. The colors of the lines usually indicate similar classes of information. For example, topographic contours (brown); lakes, streams, irrigation ditches, etc. (blue); land grids and important roads (red); secondary roads and trails, railroads, boundaries, etc. (black); and features that have been updated using aerial photography, but not field verified, such as disturbed land areas (e.g., gravel pits) and newly developed water bodies (purple).

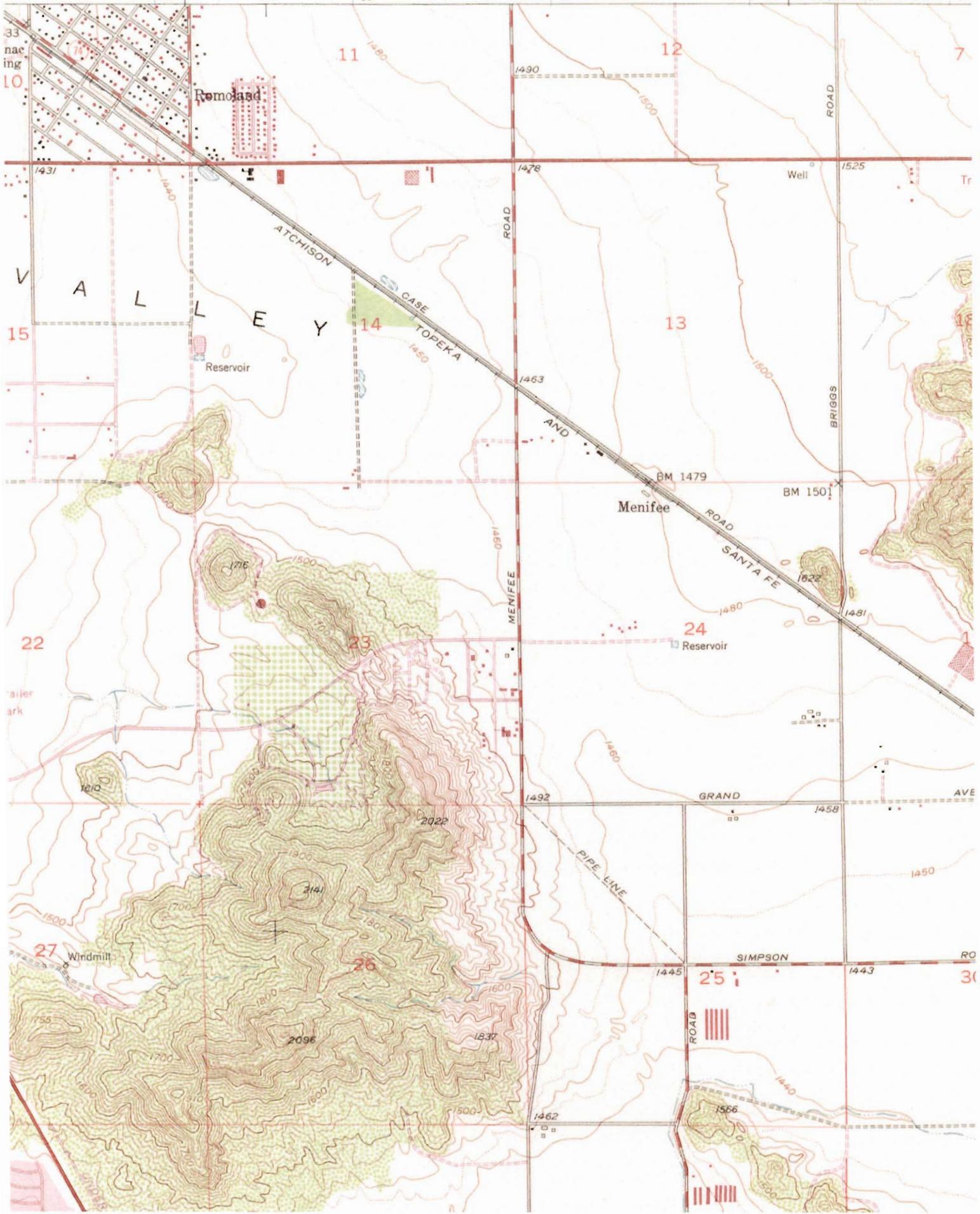
For more than a century, the USGS has been creating and revising topographic maps for the entire country at a variety of scales. There are about 60,000 U.S. Geological Survey (USGS) produced topo maps covering the United States. Each map covers a specific quadrangle (quad) defined as a four-sided area bounded by latitude and longitude. Historical topographic maps are a valuable historical resource for documenting the prior use of a property and its surrounding area, and due to their frequent availability can be particularly helpful when other standard historical sources (such as city directories, fire insurance maps, or aerial photographs) are not reasonably ascertainable.

### Disclaimer - Copyright and Trademark Notice

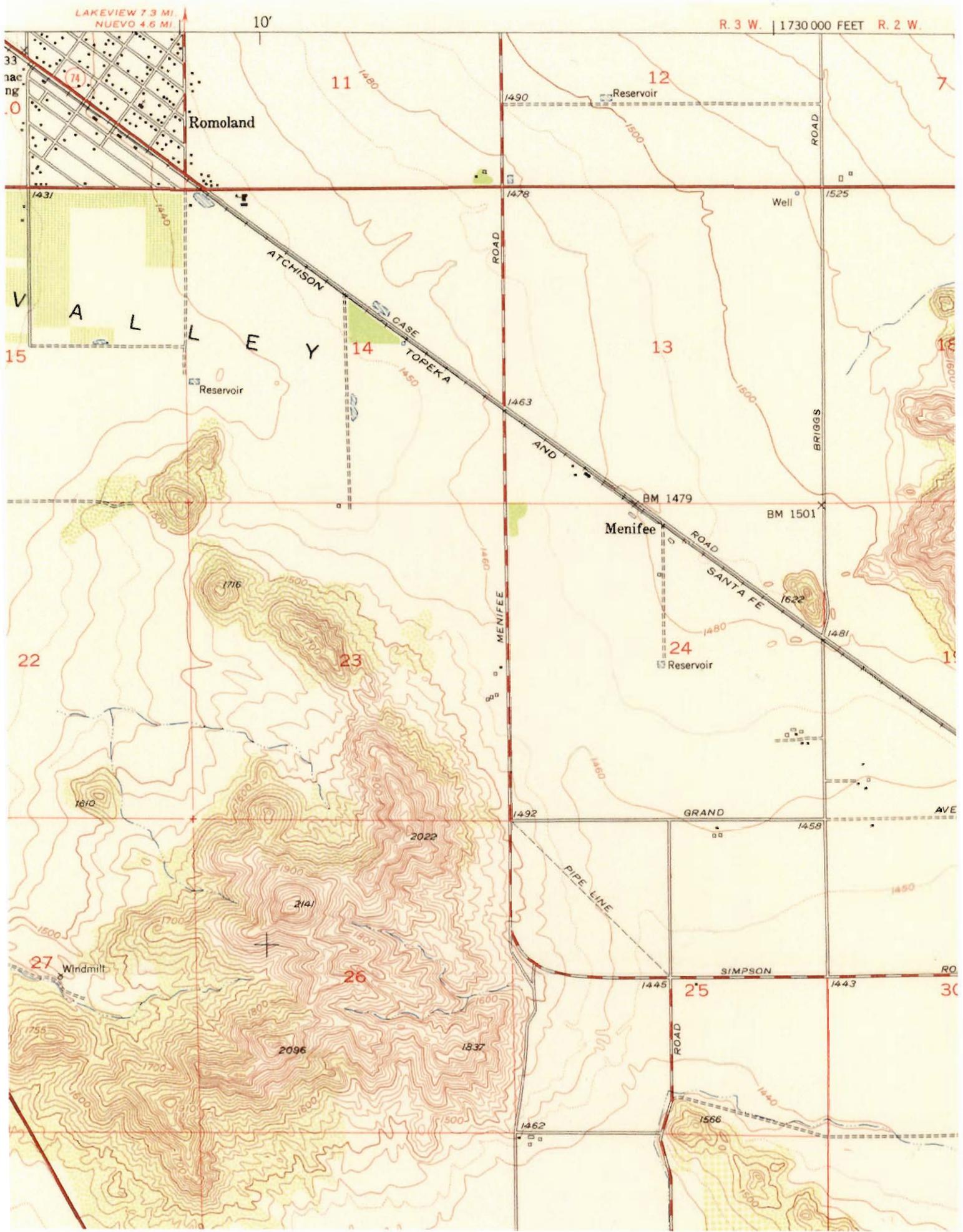
This Report contains certain information obtained from a variety of public and other sources reasonably available to Environmental Data Resources, Inc. It cannot be concluded from this Report that coverage information for the target and surrounding properties does not exist from other sources. **NO WARRANTY EXPRESSED OR IMPLIED, IS MADE WHATSOEVER IN CONNECTION WITH THIS REPORT. ENVIRONMENTAL DATA RESOURCES, INC. SPECIFICALLY DISCLAIMS THE MAKING OF ANY SUCH WARRANTIES, INCLUDING WITHOUT LIMITATION, MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE. ALL RISK IS ASSUMED BY THE USER. IN NO EVENT SHALL ENVIRONMENTAL DATA RESOURCES, INC. BE LIABLE TO ANYONE, WHETHER ARISING OUT OF ERRORS OR OMISSIONS, NEGLIGENCE, ACCIDENT OR ANY OTHER CAUSE, FOR ANY LOSS OF DAMAGE, INCLUDING, WITHOUT LIMITATION, SPECIAL, INCIDENTAL, CONSEQUENTIAL, OR EXEMPLARY DAMAGES. ANY LIABILITY ON THE PART OF ENVIRONMENTAL DATA RESOURCES, INC. IS STRICTLY LIMITED TO A REFUND OF THE AMOUNT PAID FOR THIS REPORT.** Purchaser accepts this Report "AS IS". Any analyses, estimates, ratings, environmental risk levels or risk codes provided in this Report are provided for illustrative purposes only, and are not intended to provide, nor should they be interpreted as providing any facts regarding, or prediction or forecast of, any environmental risk for any property. Only a Phase I Environmental Site Assessment performed by an environmental professional can provide information regarding the environmental risk for any property. Additionally, the information provided in this Report is not to be construed as legal advice.

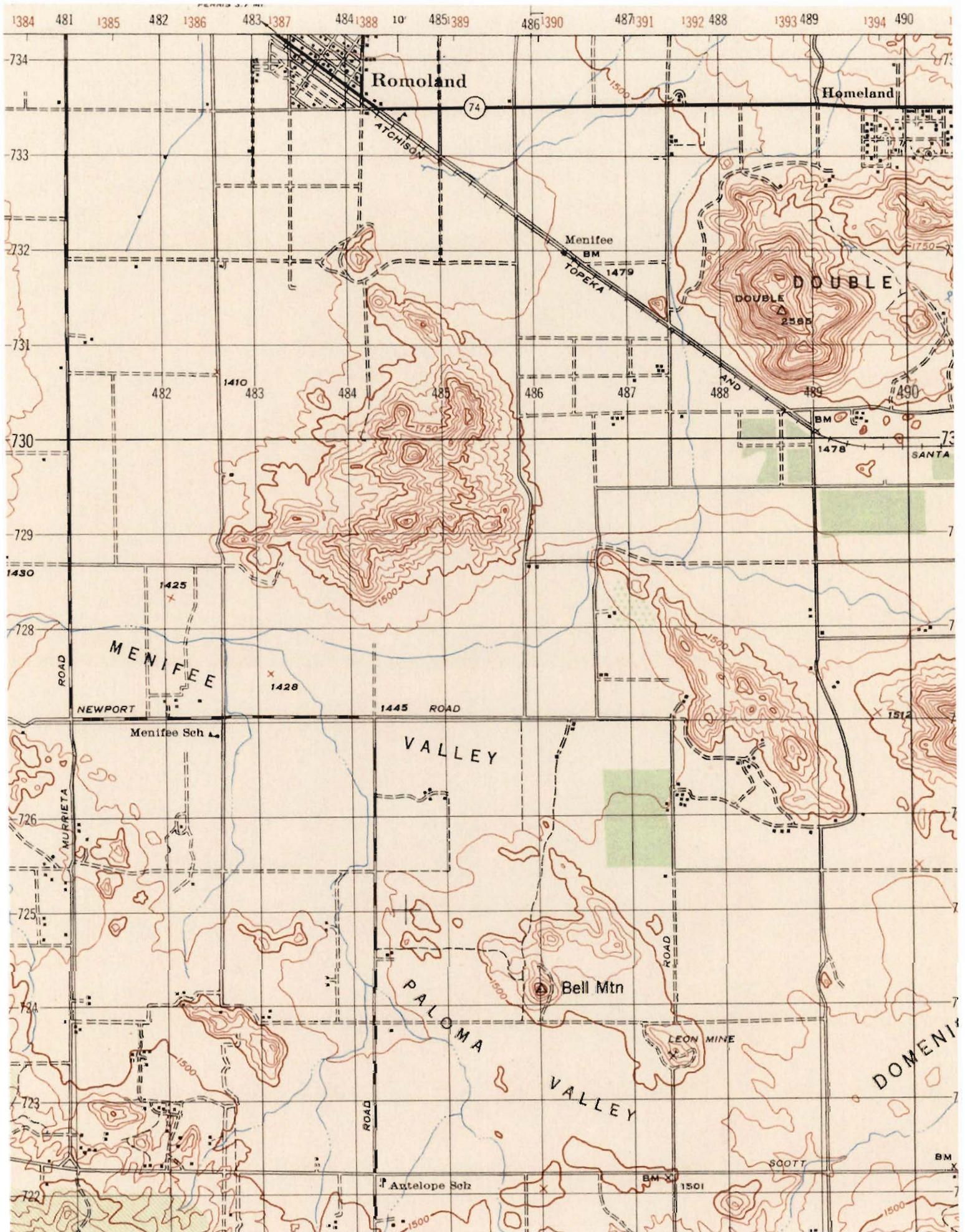
Copyright © 2005 by Environmental Data Resources, Inc. All rights reserved. Reproduction in any media or format, in whole or in part, of any report or map of Environmental Data Resources, Inc., or its affiliates, is prohibited without prior written permission.

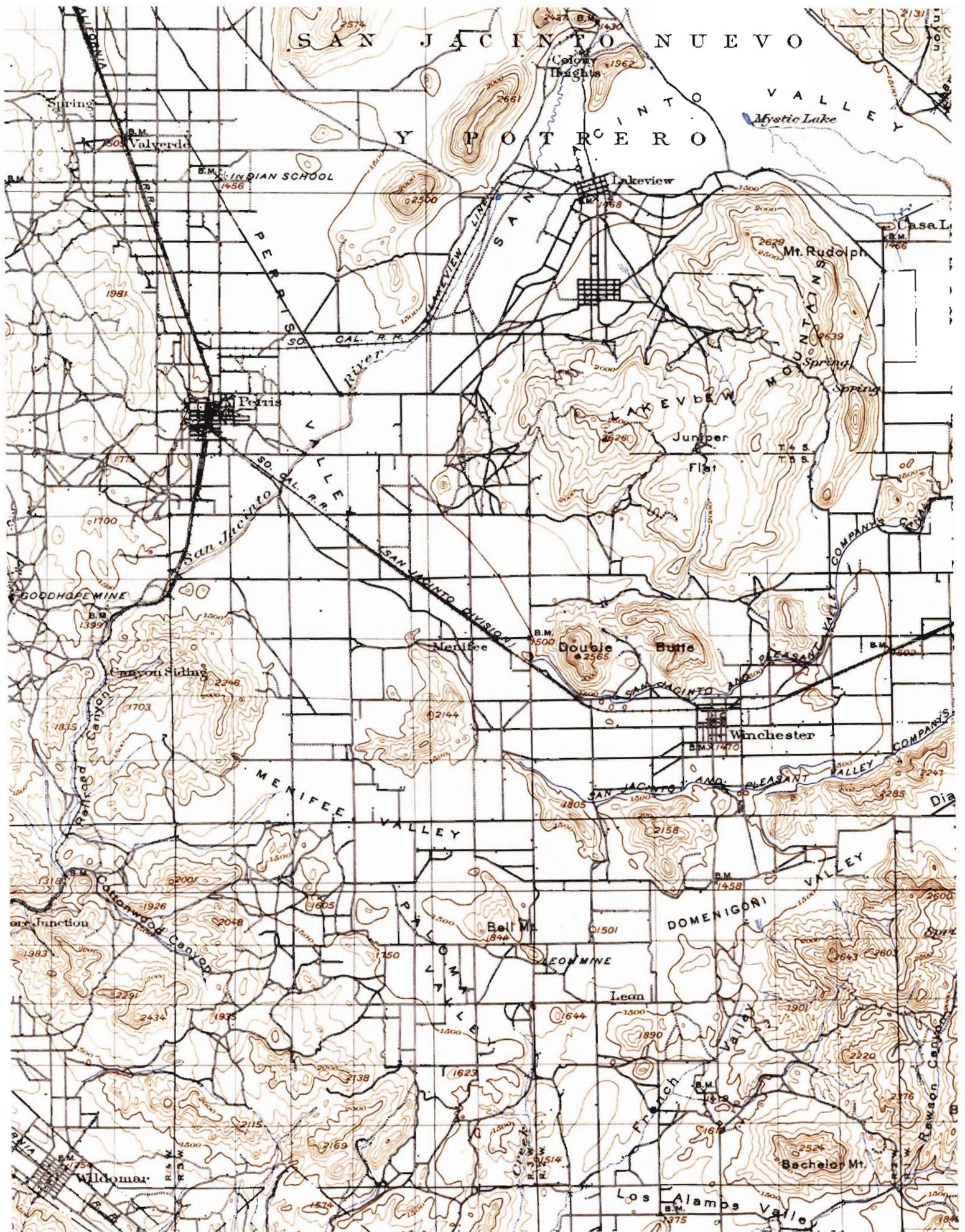
EDR and its logos (including Sanborn and Sanborn Map) are trademarks of Environmental Data Resources, Inc. or its affiliates. All other trademarks used herein are the property of their respective owners.













# Attachment CR-5

## Architectural Historian Resume

---





### **PEGGY BEEDLE**

#### Expertise

Architectural/landscape history, archival research, historical site inventory and evaluation, cultural landscapes evaluation, preservation planning.

#### Education

M.A. Cultural Resource Management and Landscape History, University of Wisconsin, 1998.

B.A. Anthropology, University of Iowa, 1974.

#### Professional Experience

2004– Architectural/Landscape Historian, Applied EarthWorks, Inc., Hemet, California.

2003–2004 Project Manager/Principal Investigator, Associated Cultural Resource Experts, Littleton, Colorado.

2000–2002 Principal Investigator and Architectural/Landscape Historian, The Louis Berger Group, Inc., Marion, Iowa.

1998–1999 Architectural/Landscape Historian, Michael Baker Jr., Inc., Charleston, West Virginia.

1998 Historian, Wisconsin Barns Preservation Initiative, University of Wisconsin Extension Service, Madison.

1994–1996 Historic Preservation Specialist, Wisconsin Historical Society, Madison.

#### Technical Qualifications

Ms. Beedle has served as an architectural and landscape historian for projects in California and Nevada as well as in other Great Basin, Rocky Mountain, Midwest, and Upland South states. Her experience includes preparation of research designs and preservation plans, completion of field surveys and historical studies, and evaluation of historical properties and cultural landscapes. Ms. Beedle has completed numerous studies of residential, agricultural, and industrial properties as well as transportation systems and other public facilities. She has performed investigations on behalf of private-sector clients, historical societies, and various state and federal government agencies, including the National Park Service and state departments of transportation in Iowa and West Virginia, for whom she performed architectural surveys, architectural evaluations, and assessments of adverse effects on eligible properties. Since joining Applied EarthWorks, she has completed numerous historic resource evaluations, Historic Resource Evaluation Reports for Caltrans, an Historic Structures Report for the Francisco Estudillo Mansion, a National Register Property, and a Cultural Landscape Report for the Santa Margarita Ranch. She has prepared Historic American Engineering Record (HAER) documents, National Register nominations, Historic Structure Reports (HSR) and Cultural Landscape Reports (CLR), and other technical reports of findings for cultural resources projects. .

---



# Attachment CR-6

Native American Consultation

---



**SUN VALLEY ENERGY CENTER  
CONSULTATION LETTERS TO NATIVE AMERICAN CONTACTS PROVIDED BY NAHC**

| RECIPIENT  | DATE SENT | MAILED | FAXED | E-MAILED | COMMENTS RECEIVED (FROM LETTER)  | FOLLOW-UP PHONE CALL                                      | COMMENTS SUMMARY (FROM PHONE)   |
|--|-----------|--------|-------|----------|--|---|---|
| Samuel H. Dunlap<br>Gabrielino/Cahuilla/Luiseno<br>P.O. Box 1391<br>Temecula, CA 92593<br>(909)262-9351 (cell)<br>(909)262-9196 (fax)  | 9/21/05   | X      |       |          | No response received   | 3/27/06<br>11:04 am<br>Spoke to Samuel Dunlap             | No concern.   |
| Alvino Siva<br>Augustine Band of Mission<br>Indians<br>2034 W. Westward<br>Banning, CA 92220<br>(951)849-3450  | 9/21/05   | X      |       |          | Voice Message received 9-28-05 from Alvino Siva:<br>"A lot of villages were in that area."<br>Comments on calling coroner if human remains found. If artifacts found, have Native American monitor present during excavations. | 3/27/06<br>11:10 am<br>Spoke to Alvino Siva               | No concern, but contact if any resources are found.   |
| Anthony J. Andreas, Jr.<br>3022 W. Nicolet Street<br>Banning, CA 92220<br>(909)849-3844  | 9/21/05   | X      |       |          | No response received   | 3/27/06<br>11:13 am<br>Phone number no longer in service. |   |
| Willie Pink<br>626 E. Old Second Street<br>San Jacinto, CA 92583<br>(951)936-1216  | 9/21/05   | X      |       |          | No response received   | 3/27/06<br>11:15 am<br>Phone number no longer in service. |   |
| Richard Milanovich<br>600 Tahquitz Way<br>Palm Springs, CA 92262<br><a href="mailto:jnixon@aguacaliente.net">jnixon@aguacaliente.net</a><br>(760)325-3400<br>(760)325-0593 (fax) | 9/21/05   | X      |       |          | No response received   | 3/27/06<br>11:19 am                                       | Agua Caliente Band of Cahuilla Indians<br>Secretary: "Richard is not available... will be busy all week. If we have any interest in project, they [tribe] will send a letter. Please resend letter, it must be conducted in writing." |

**SUN VALLEY ENERGY CENTER  
CONSULTATION LETTERS TO NATIVE AMERICAN CONTACTS PROVIDED BY NAHC**

| RECIPIENT   | DATE SENT | MAILED | FAXED | E-MAILED | COMMENTS RECEIVED (FROM LETTER)   | FOLLOW-UP PHONE CALL   | COMMENTS SUMMARY (FROM PHONE)   |
|---|-----------|--------|-------|----------|---|--|---|
| Maryann Martin<br>Augustine Band of Cahuilla Indians<br>P.O. Box 846<br>Coachella, CA 92236<br>(760)369-7171  | 9/21/05   | X      |       |          | Letter received 10-5-05:<br>Recommend Native American monitor on site during ground-breaking activities<br><br>Letter received 3-13-06 (addressed to CEC):<br>Not located within boundary of Augustine reservation.<br>Contact other tribes. Recommends a Native American monitor present during ground-breaking. | 3/27/06<br>11:24 am Spoke to secretary. Transferred to Karen Kupcha and left message on voicemail. |   |
| Karin Kupcha<br>P.O. Box 1291<br>Yucca Valley, CA 92286<br>(760)369-7171<br>(760)365-2664 (fax)   | 9/21/05   | X      |       |          | No response received  | 3/27/06<br>11:24 am See above.   |   |
| John A. James<br>84-245 Indio Springs Pkwy<br>Indio, CA 92203<br><a href="mailto:lweaver@cabazonindians.org">lweaver@cabazonindians.org</a><br>(760)342-2593<br>(760)347-7880 (fax)                                 | 9/21/05   | X      |       |          | No response received  | 3/27/06<br>11:30 am<br>Left written message w/ secretary.  |   |
| Judy Stapp<br>Cabazon Band of Mission Indians<br>84-245 Indio Springs Pkwy<br>Indio, CA 92203<br><a href="mailto:lweaver@cabazonindians.org">lweaver@cabazonindians.org</a><br>(760)342-2593<br>(760)347-7880 (fax) | 9/21/05   | X      |       |          | Letter Received 9-27-05:<br>"The Cabazon Band of Mission Indians has no archival information on the above referenced site indicating cultural activity or that it may be a Native American burial or religious site."   | 3/27/06<br>11:34 am<br>Spoke to Patrick Schoomover   | Request archaeologist or Native American monitor present during excavation. |

**SUN VALLEY ENERGY CENTER  
CONSULTATION LETTERS TO NATIVE AMERICAN CONTACTS PROVIDED BY NAHC**

| RECIPIENT  | DATE SENT | MAILED | FAXED | E-MAILED | COMMENTS RECEIVED (FROM LETTER)  | FOLLOW-UP PHONE CALL                                     | COMMENTS SUMMARY (FROM PHONE) |
|--|-----------|--------|-------|----------|--|--|-------------------------------|
| Bill Anderson<br>84-245 Indio Springs Pkwy<br>Indio, CA 92203<br><a href="mailto:lweaver@cabazonindians.org">lweaver@cabazonindians.org</a><br>(760)342-2593<br>(760)347-7880 (fax)      | 9/21/05   | X      |       |          | No response received   | 3/27/06<br>11:36 am                                      | No longer working at office.  |
| Anthony Madrigal, Jr.<br>P.O. Box 391760<br>Anza, CA 92539<br><a href="mailto:cbandodian@aol.com">cbandodian@aol.com</a><br>(909)763-5549<br>(909)763)2808 (fax)                         | 9/21/05   | X      |       |          | No response received   | 3/27/06<br>11:38 am<br>Phone number no longer in service |                               |
| Shasta Gaughen<br>Pala Band of Mission Indians<br>35008 Pala-Temecula Rd<br>PMB Box 445<br>Pala, CA 92509<br><a href="mailto:cupa@palatribe.com">cupa@palatribe.com</a><br>(760)742-1590 | 9/21/05   | X      |       |          | Letter Received 3-14-06:<br>"We feel that any project of this size would benefit from the presence of Native American monitors during any ground-disturbing activities." | 3/27/06<br>11:40 am<br>Left message.                     |                               |
| Rob Roy<br>22000 Highway 76<br>Pauma, CA 92061<br><a href="mailto:lajolla-sherry@aol.com">lajolla-sherry@aol.com</a><br>(760)742-3771/72<br>(760)742-1701 (fax)                          | 9/21/05   | X      |       |          | No response received   | 3/27/06<br>11:45 am<br>Left message on voicemail.        |                               |
| Evelyn Duro<br>Los Coyotes Band of Mission Indians<br>P.O. Box 189<br>Warner, CA 92086<br>(760)782-0711<br>(760)782-2701 (fax)   | 9/21/05   | X      |       |          | No response received   | 3/27/06<br>1:20 pm<br>Spoke to Catherine Sauvel.         | No concern.                   |

**SUN VALLEY ENERGY CENTER  
CONSULTATION LETTERS TO NATIVE AMERICAN CONTACTS PROVIDED BY NAHC**

| RECIPIENT   | DATE SENT | MAILED | FAXED | E-MAILED | COMMENTS RECEIVED (FROM LETTER)  | FOLLOW-UP PHONE CALL                             | COMMENTS SUMMARY (FROM PHONE)   |
|---|-----------|--------|-------|----------|--|--|---|
| Melody Sees<br>Los Coyotes Band of Mission Indians<br>P.O. Box 189<br>Warner, CA 92086<br>(760)782-0712<br>(760)782-2730 (fax)  | 9/21/05   | X      |       |          | No response received   | 3/27/06<br>4:20 pm<br>Left message on voicemail. | Voicemail rec'd 3/28/06 from Melody Sees: "We would like to see archaeological monitors on site while working. If anything is found, we would like to be notified." |
| Britt W. Wilson<br>Morongo Band of Mission Indians<br>245 N. Murray Street<br>Suite C<br>Banning, CA 92220<br><a href="mailto:Britt_wilson@morongo.org">Britt_wilson@morongo.org</a><br>(951)849-8807<br>(951)755-5200<br>(951)922-8146 (fax) | 9/21/05   | X      |       |          | Letter Received 9-28-06:<br>Tribe has no specific information regarding cultural resources in the project/area.<br><br>"If Native American cultural resources (other than isolates) are found on the project site...the Tribe recommends a cultural resources survey and archaeological site monitoring –preferably utilizing Native American monitors"<br><br>EMAIL received 2/22/06<br><br>"The Tribe would like to request a copy of any cultural resource report prepared for the project or any information in the regard." | 3/27/06<br>1:25 pm<br>Spoke to Britt Wilson      | No concern. Requests copy of records search.  |
| Maurice Lyons<br>245 N. Murray Street<br>Suite C<br>Banning, CA 92220<br>(951)849-8807<br>(951)755-5200<br>(951)922-8146 (fax)  | 9/21/05   | X      |       |          | No response received   | 3/27/06<br>2:00 pm<br>Left message on voicemail. |   |

**SUN VALLEY ENERGY CENTER  
CONSULTATION LETTERS TO NATIVE AMERICAN CONTACTS PROVIDED BY NAHC**

| RECIPIENT   | DATE SENT | MAILED | FAXED | E-MAILED | COMMENTS RECEIVED (FROM LETTER)  | FOLLOW-UP PHONE CALL   | COMMENTS SUMMARY (FROM PHONE) |
|---|-----------|--------|-------|----------|--|--|-------------------------------|
| Robert Smith<br>Pala Band of Mission Indians<br>P.O. Box 50<br>Pala, Ca 92059<br>(760)742-3784<br>(760)742-1411 (fax)   | 9/21/05   | X      |       |          | Letter Received 9-27-05:<br>"...this project takes place outside the traditional areas of residence of the people of Pala..we have a low level of concern regarding possible areas of cultural sensitivity." | 3/27/06<br>1:58 pm<br>Left message on voicemail.   |                               |
| Christobal C. Devers<br>Pauma & Yulma<br>P.O. Box 369<br>Pauma Valley, CA 92061<br><a href="mailto:Kymerli_peters@yahoo.com">Kymerli_peters@yahoo.com</a><br>(760)742-1289<br>(760)742-3422 (fax) | 9/21/05   | X      |       |          | No response received   | 3/27/06<br>2:15 pm<br>Spoke to Wendy Bell  | No concern.                   |
| Bennae Calac<br>P.O. Box 369<br>Pauma, CA 92061<br>(760)742-1289<br>(760)742-3422 (fax)   | 9/21/05   | X      |       |          | No response received   | 3/27/06<br>2:30 pm<br>Left message on voicemail for Juanita Dickson, Cultural Resources. |                               |
| EPA Coordinator<br>P.O. Box 369<br>Pauma Valley, CA 92061<br><a href="mailto:Kymerli_peters@yahoo.com">Kymerli_peters@yahoo.com</a><br>(760)742-1289<br>(760)742-3422 (fax)                       | 9/21/05   | X      |       |          | No response received   | 3/27/06<br>2:33 pm<br>Left message on voicemail.   |                               |
| Paul Macarro<br>P.O. Box 2183<br>Temecula, CA 92593<br>(951)308-9295<br>(951)506-9491 (fax)   | 9/21/05   | X      |       |          | No response received   | 3/27/06<br>2:36 pm<br>Left message on voicemail.   |                               |

**SUN VALLEY ENERGY CENTER  
CONSULTATION LETTERS TO NATIVE AMERICAN CONTACTS PROVIDED BY NAHC**

| RECIPIENT   | DATE SENT      | MAILED   | FAXED | E-MAILED | COMMENTS RECEIVED (FROM LETTER)  | FOLLOW-UP PHONE CALL   | COMMENTS SUMMARY (FROM PHONE) |
|---|----------------|----------|-------|----------|--|--|-------------------------------|
| <p>Joseph Hamilton<br/>                     Ramona Band of Cahuilla<br/>                     P.O. Box 39160<br/>                     Anza, CA 92539<br/>                     (909)763-4105<br/>                     (909)763-4325 (fax)</p> | <p>9/21/05</p> | <p>X</p> |       |          | <p>Letter Received 10-3-05:</p> <p>"...not aware of specific cultural resources that may be impacted...we feel it necessary to have a native american monitor included in any further field study and during the construction phase of this project. the cost of the monitor should be made a part of the construction budget. we are requesting copies of the archaeological survey report and the records search report for this project."</p> <hr/> <p>Letter Received 3-16-06</p> <p>"The power plant will be constructed within the traditional use area of the Cahuilla People and we are extremely concerned about Native American sites that are in or near the project area. We are also concerned that extensive excavation could uncover Native American artifacts... recommend that a Native American monitor should be made a part of the construction phase... The cost of the Monitor should be made part of the construction development project... request copies of the archaeological survey report and the records search that were conducted in support of this project.</p> <p>We would like an opportunity to review all of the cultural material regarding this project prior to making final comments."</p> | <p>3/27/06<br/>                     2:39 pm<br/>                     Phone no longer in service.</p> |                               |

**SUN VALLEY ENERGY CENTER  
CONSULTATION LETTERS TO NATIVE AMERICAN CONTACTS PROVIDED BY NAHC**

| RECIPIENT   | DATE SENT | MAILED | FAXED | E-MAILED | COMMENTS RECEIVED (FROM LETTER) | FOLLOW-UP PHONE CALL  | COMMENTS SUMMARY (FROM PHONE) |
|---|-----------|--------|-------|----------|---------------------------------|---|-------------------------------|
| Manuel Hamilton<br>P.O. Box 391372<br>Anza, CA 92539<br><a href="mailto:Ramona41@gte.net">Ramona41@gte.net</a><br>(909)763-4105<br>(909)763-4325 (fax)              | 9/21/05   | X      |       |          | No response received            | 3/27/06<br>2:39 pm<br>Phone no longer in service.                 |                               |
| Anthony Largo<br>P.O. Box 391372<br>Anza, CA 92539<br><a href="mailto:Ramona41@gte.net">Ramona41@gte.net</a><br>(909)763-4105<br>(909)763-4325 (fax)                | 9/21/05   | X      |       |          | No response received            | 3/27/06<br>2:39 pm<br>Phone no longer in service.                 |                               |
| Karen Kupcha<br>P.O. Box 1291<br>Yucca Valley, CA 92286<br><a href="mailto:Ramona41@gte.net">Ramona41@gte.net</a><br>(760)365-1373<br>(909)635-2664 (fax)           | 9/21/05   | X      |       |          | No response received            | 3/28/06<br>4:40 pm<br>Left message on voicemail.                  |                               |
| Culture Committee<br>P.O. Box 68<br>Valley Center, CA 92082<br><a href="mailto:council@rincontri.org">council@rincontri.org</a><br>(760)749-1051<br>(760)8901 (fax) | 9/21/05   | X      |       |          | No response received            | 3/27/06<br>2:42 pm<br>Left message for Rob Schaeffer on voicemail |                               |
| John Currier<br>P.O. Box 68<br>Valley Center, CA 92082<br><a href="mailto:council@rincontri.org">council@rincontri.org</a><br>(760)749-1051<br>(760)8901 (fax)      | 9/21/05   | X      |       |          | No response received            | 3/27/06<br>2:46 pm<br>Left message on voicemail.                  |                               |

**SUN VALLEY ENERGY CENTER  
CONSULTATION LETTERS TO NATIVE AMERICAN CONTACTS PROVIDED BY NAHC**

| RECIPIENT  | DATE SENT | MAILED | FAXED | E-MAILED | COMMENTS RECEIVED (FROM LETTER) | FOLLOW-UP PHONE CALL                                    | COMMENTS SUMMARY (FROM PHONE) |
|--|-----------|--------|-------|----------|---------------------------------|---|-------------------------------|
| Rob Shaffer<br>P.O. Box 68<br>Valley Center, CA 92082<br><a href="mailto:council@rincontriibe.org">council@rincontriibe.org</a><br>(760)749-1051<br>(760)8901 (fax)    | 9/21/05   | X      |       |          | No response received            | 3/27/06<br>2:42 pm<br>Left message on voicemail.        |                               |
| Kristie Orosca<br>P.O. Box 68<br>Valley Center, CA 92082<br><a href="mailto:council@rincontriibe.org">council@rincontriibe.org</a><br>(760)749-1051<br>(760)8901 (fax) | 9/21/05   | X      |       |          | No response received            | 3/27/06<br>2:55 pm<br>Left written message w/<br>Brian. |                               |
| Ruth Calac<br>P.O. Box 68<br>Valley Center, CA 92082<br><a href="mailto:council@rincontriibe.org">council@rincontriibe.org</a><br>(760)749-1051<br>(760)8901 (fax)     | 9/21/05   | X      |       |          | No response received            | 3/27/06<br>3:30 pm<br>Left message on voicemail.        |                               |
| Henry Contreras<br>1763 Chapulin Lane<br>Fallbrook, CA 92028<br>(760)728-6722 (home)<br>(760)207-3618 (cell)   | 9/21/05   | X      |       |          | No response received            | 3/27/06<br>3:31 pm<br>Left message on voicemail.        |                               |
| Russel Romo<br>12064 Old Pomerado Road<br>Poway, CA 92064<br>(858)748-1586   | 9/21/05   | X      |       |          | No response received            | 3/27/06<br>3:35 pm<br>Left message on voicemail.        |                               |
| Carmen Mojado<br>1889 Sunset Dr<br>Vista, CA 92081   | 9/21/05   | X      |       |          | No response received            | No Phone Provided                                       |                               |
| Mark Mojado<br>P.O. Box 1<br>Pala, CA 92059<br>(760)742-4468<br>(760)586-4868 (cell)   | 9/21/05   | X      |       |          | No response received            | 3/27/06<br>3:37 pm<br>Left message on voicemail.        |                               |

**SUN VALLEY ENERGY CENTER  
CONSULTATION LETTERS TO NATIVE AMERICAN CONTACTS PROVIDED BY NAHC**

| RECIPIENT  | DATE SENT | MAILED | FAXED | E-MAILED | COMMENTS RECEIVED (FROM LETTER)   | FOLLOW-UP PHONE CALL   | COMMENTS SUMMARY (FROM PHONE)   |
|--|-----------|--------|-------|----------|---|--|---|
| Christine Arzate<br>P.O. Box 390611<br>Anza, Ca 92539<br>(909)763-9781 (fax)   | 9/21/05   | X      |       |          | No response received  | 3/27/06<br>3:37 pm<br>Left message on voicemail.   |   |
| Terry Hughes<br>P.O. Box 390611<br>Anza, CA 92539<br>(909)763-5140<br>(909)763-9781 (fax)  | 9/21/05   | X      |       |          | No response received  | 3/27/06<br>3:38 pm<br>Phone number no longer in service.   |   |
| Robert J. Salgado, Sr.<br>P.O. Box 487<br>San Jacinto, CA 92581<br><a href="mailto:luiseno@soboba-nsn.gov">luiseno@soboba-nsn.gov</a><br>(951)654-2765<br>(951)654-4198 (fax)                | 9/21/05   | X      |       |          | No response received  | 3/27/06<br>3:40 pm<br>Left written message w/ secretary.   |   |
| Charlene Ryan<br>Soboba Band Of Luiseno Indians<br>P.O. Box 487<br>San Jacinto, CA 92581<br><a href="mailto:cryan@soboba-nsn.gov">cryan@soboba-nsn.gov</a><br>(951)654-2765<br>(951)654-4198 | 9/21/05   | X      |       |          | Letter Received 9-29-05:<br>Requested copies of reports and tribal monitor during ground disturbance. | 3/27/06<br>3:45 pm<br>Busy dial tone.<br><br>5:02 pm<br>Referred tp Harold Arres<br>(951)487-8268<br><br>3/28/06<br>4:56 pm<br>Spoke with Bennae Calac | Soboba Tribe expresses concern. Would like further information. Gave email to receive info on project, <a href="mailto:coordinator@soboba-nsn.gov">coordinator@soboba-nsn.gov</a> |
| Raymond Torres<br>P.O. Box 1160<br>Thermal, CA 92274<br>(760)397-0300<br>(760)397-8146 (fax)   | 9/21/05   | X      |       |          | No response received  | 3/27/06<br>3:47 pm<br>Left message on voicemail.   |   |

**SUN VALLEY ENERGY CENTER  
CONSULTATION LETTERS TO NATIVE AMERICAN CONTACTS PROVIDED BY NAHC**

| RECIPIENT   | DATE SENT | MAILED | FAXED | E-MAILED | COMMENTS RECEIVED (FROM LETTER) | FOLLOW-UP PHONE CALL  | COMMENTS SUMMARY (FROM PHONE)   |
|---|-----------|--------|-------|----------|---------------------------------|---|---|
| Ernest Morreo<br>P.O. Box 1160<br>Thermal, CA 92274<br><a href="mailto:maxtm@aol.com">maxtm@aol.com</a><br>(760)397-0300<br>(760)391-8146 (fax)                                   | 9/21/05   | X      |       |          | No response received            | 3/27/06<br>3:50 pm<br>Not available.  |   |
| Joe Loya<br>P.O.Box 1160<br>Thermal, CA 92274<br>(760)397-0300<br>(760)391-8146 (fax)   | 9/21/05   | X      |       |          | No response received            | 3/27/06<br>3:52 pm<br>Will forward message to<br>William Contreras,<br>Cultural Resources   |   |
| Alberto Ramirez<br>P.O. Box 1160<br>Thermal, CA 92274<br><a href="mailto:albertor@torresmartinez.org">albertor@torresmartinez.org</a><br>(760)397-0300<br>(760)391-8146 (fax)     | 9/21/05   | X      |       |          | No response received            | 3/27/06<br>3:55 pm<br>Left message on<br>voicemail.   |   |
| Dean Mike<br>46-200 Harrison Place<br>Coachella, CA 92236<br><a href="mailto:Tribal-epa@worldnet.att.net">Tribal-epa@worldnet.att.net</a><br>(760)775-5566<br>(760)775-4639 (fax) | 9/21/05   | X      |       |          | No response received            | 3/27/06<br>4:00 pm<br>Requested letter to be<br>resent via email:<br><a href="mailto:lthomas@palms29.com">lthomas@palms29.com</a><br>-<br>Email sent 3/27/06. | Voicemail rec'd 3/28/06 from<br>Dean Mike. "The 29 Palms<br>Band of Mission Indians does<br>not have any concerns to the<br>project." |

September 21, 2005

Name  
Address

Re: Sun Valley Energy Project

Dear XXXXXXXXXXXXXXXX:

CH2M HILL is providing assistance with preparation of environmental documentation for a proposed new 500 MW peaking power installation to be located in an unincorporated area of Riverside County, near the community of Romoland, 22 miles south of Riverside, south and east of Perris, and east of Sun City (see attached map of project area).

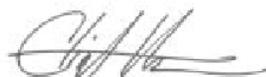
CH2M HILL is conducting a cultural resources study for the proposed project and has researched the archaeological literature and records and will perform an archaeological survey for the project. The archaeological literature and records search was performed at the South Eastern Information Center (SBCM) of the California Historical Resources Information System in August 2005. The records search covered a ½ mile radius around the project site. Results of this search indicate that no archaeological resources have previously been documented within the project site. Three sites consisting of bedrock milling features are located approximately ½ mile south of the project site. The project area is located on the Romoland 7.5 minute scale United States Geological Survey (USGS) topographic map.

A search of the Sacred Land files by the Native American Heritage Commission (NACH) in September 2005 failed to indicate the presence of Native American sacred sites in the immediate Project vicinity. However, the absence of specific site information in the Sacred Land files does not indicate the absence of cultural resources in the Project area. Therefore, the NAHC provided a list of Native America contacts within the project region.

If you know of any traditional cultural properties or values (e.g., burial sites, religious sites, or gathering sites) within the Project area shown on the enclosed map, or if you have any concerns regarding issues related to the overall Project, please contact me at (714) 435-6140 or by mail; you may also contact me at [chelton@ch2m.com](mailto:chelton@ch2m.com).

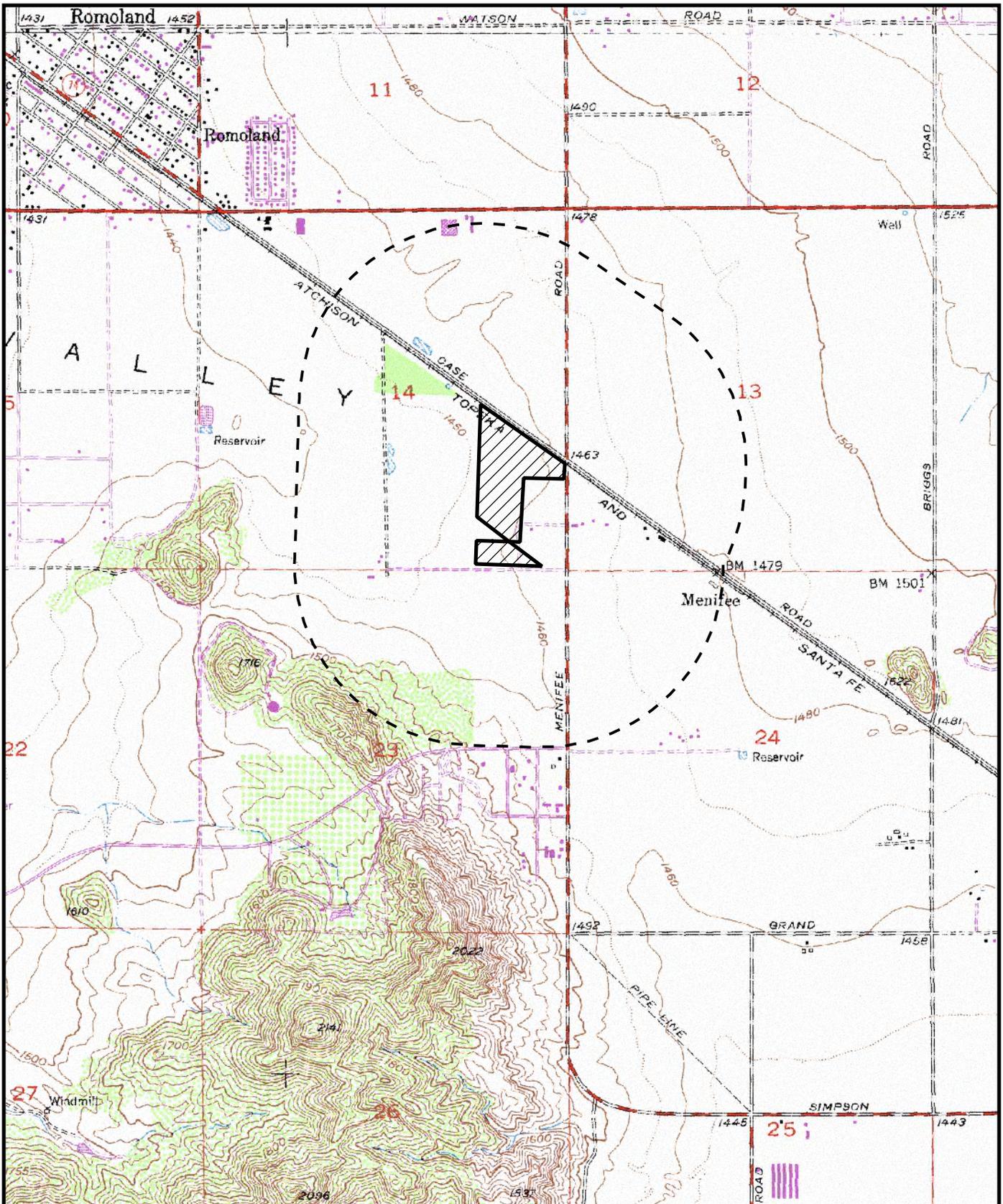
Your project comments and concerns are important to us. I look forward to hearing from you in the near future.

Respectfully yours,



Clint Helton  
Senior Scientist

cc: File  
Enclosure – Map of Project Area



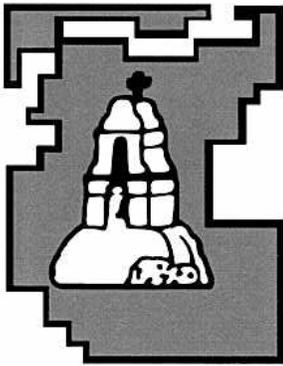
**LEGEND**

-  Project Location
-  1/2mi Buffer

0 2,000 Feet  
SCALE IS APPROXIMATE

Quad Name: Romoland 7.5min  
Sec 14 T5S R3W

**SUN VALLEY ENERGY PROJECT**  
ROMOLAND, CALIFORNIA



**Pala Band Of  
Mission Indians**

Cupa Cultural Center

35008 Pala Temecula Road  
PMB 445  
Pala, CA 92059

Tel. (760) 742-1590 Fax. (760) 742-4543  
E-mail: [cupa@palatribe.com](mailto:cupa@palatribe.com)

September 27, 2005

Clint Helton, Senior Scientist  
CH2M Hill  
3 Hutton Centre Drive, Suite 200  
Santa Ana, CA 92707

Dear Mr. Helton:

This letter is in response to your request for Native American consultation on the Sun Valley Energy Project in Romoland, California. We respond to these requests on behalf of Robert Smith, Chairman of the Pala Band of Mission Indians.

Because this project takes place outside the traditional areas of residence of the people of Pala, we have a low level of concern regarding possible areas of cultural sensitivity. However, this should not be construed as indicating that no cultural resources or traditional cultural properties are present in this location. Areas of significance may be identified by other concerned bands, or revealed in the course of project construction. The Pala Band of Mission Indians stands behind any assertions made by other bands that there are significant resources within the project area, should such assertions be made.

We appreciate being made aware of this project and having the opportunity to comment.

Sincerely,

Shasta C. Gaughen, MA  
Assistant Director



23904 Soboba Road  
P.O. Box 487  
San Jacinto Ca 92581  
951-487-8251 Fax: 951-487-2339  
moyle@soboba-nsn.gov

September 29, 2005

Clint Helton  
Senior Scientist  
CH2M Hill  
#3 Hutton Center Dr , Suite 200  
Santa Ana Ca 92707

Re: Sun Valley Energy Project

The Soboba Band of Luiseño Indians appreciates your observance of Tribal resources as it relates to cultural heritage and preservation in your project. The information provided on Sun Valley Energy Project has been assessed through our Tribal Historic Preservation Office where it was concluded that the project area falls outside our Reservation boundaries but within the bounds of our Tribal Traditional Use Area.

Soboba Band of Luiseño Indians is requesting the following:

1. Copies of cultural resource documentation which may be created for supplementing the Tribal Historic Preservation Office data base.
2. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests Cultural Resource Monitor(s) to be present during any ground disturbing proceedings. In the case of buried cultural deposits the Monitor may possibly request the discontinuation of construction upon notification of a Qualified (Secretary of the Interior's Standards and Guidelines) Archaeologist to conduct investigation and presumably prepare a

# RAMONA BAND OF CAHUILLA

56310 Highway 371, Suite B  
Post Office Box 391670  
Anza, California 92539



Tel: (951) 763-4105  
Fax: (951) 763-4325  
E-mail: admin@ramonatribe.com

"A SOVEREIGN NATION"

October 3, 2005

CH2M HILL  
Clint Helton, Senior Scientist  
3 Hutton Center Drive, Suite 200  
Santa Ana, CA 92707

RE: Sun Valley Energy Project

Dear Mr. Helton:

We are in receipt of your letter requesting cultural information regarding the project referred to above.

The Ramona Band of Cahuilla Indians is not aware of specific cultural resources that may be impacted by the project. This does not mean that there is an absence of cultural resources in the project area.

We are aware that this project is within the traditional use area the Cahuilla People and we are extremely concerned about the Native American sites that are in or near the project site. We are also concerned that extensive excavation could uncover Native American artifacts that may have significant sacred, religious and cultural value. We feel that it is necessary to have a Native American Monitor included in any further field study and during the construction phase of this project. The cost of the Monitor should be made a part of the construction budget. WE ARE REQUESTING COPIES OF THE ARCHAEOLOGICAL SURVEY REPORT AND THE RECORDS SEARCH REPORT FOR THIS PROJECT

We look forward to receiving the requested information and if additional clarification is required regarding this correspondence please contact Mr. Joseph Hamilton, Vice Chairman or Mr. Anthony Largo, Environmental Director at (951) 763-4105.

Respectfully,

Joseph Hamilton, Vice Chairman

mitigation plan directed to the State Historic Preservation Office as well as to the Soboba Band of Luiseño Indians, Tribal Historic Preservation Office.

Soboba Band of Luiseño Indians appreciates your cooperation in dealing with cultural heritage issues.

Please feel free to contact me if you have need of additional information at 951-498-8251.

Respectfully,

A handwritten signature in black ink that reads "Charlene Ryan". The signature is written in a cursive, flowing style.

Charlene Ryan  
Cultural Program Director  
Soboba Band of Luiseño Indians  
PO Box 487  
San Jacinto California 92581

Cc: Tribal Council



# AUGUSTINE BAND OF CAHUILLA INDIANS

P.O. Box 846 • Coachella, CA 92236 • (760) 369-7171

Tribal Council Fax: (760) 369-7161 • Tribal Administration Fax: (760) 369-9061

Tribal Chairperson: Mary Ann Green

October 5, 2005

Clint Helton  
CH2M HILL  
3 Hutton Centre Drive, Suite 200  
Santa Ana, CA 92707

Re: Sun Valley Energy Project

Dear Mr. Helton:

Even though the proposed project is not located within the boundary of the Augustine Reservation, there is the potential that the development might impact properties of traditional religious and cultural significance to the Augustine Band.

The Augustine Band of Cahuilla Mission Indians is part of the Cahuilla Indians groups who live in south-central California. Historically the Cahuilla occupied most of the area, from the summit of the San Bernardino Mountains in the north to Borrego Springs and the Chocolate Mountains in the south, a portion of the Colorado Desert west of Orocopia Mountain to the east, and the San Jacinto Plain near Riverside and the eastern slopes of Palomar Mountain to the west.

Although we might not be aware of any Native American resources or sacred sites located at or near the project at this moment, the Tribe recommends that other tribes in the vicinity be contacted and that there should be a Native American Monitor on site during the ground breaking activities. In addition, the Tribe reserves the right to be notified of any potential discovery and requests that the follow-up of any finding on the site be submitted to the Tribe for further actions.

Should you have any questions, please do not hesitate to contact us.

Sincerely,

Sirirat Chullakorn  
Environmental Coordinator



# Land Use (57-60)

---

## Planned Uses

57. *To ensure that staff has a complete project description, please state any planned project-related uses, or other intended uses including any temporary construction features, for Assessor's Parcel Numbers 331-250-08, -14, -18.*

**Response:** The SVEP site plan in Figure 2.1-1 of the AFC includes the SVEP project site as proposed by the applicant including approximately 3 acres of laydown area. The AFC includes all of the project-related uses or other intended uses proposed by VSE during construction and operation.

## Lot Lines

58. *Please provide written verification of the applicant's intention to eliminate the underlying lot lines, merge parcels 331-250-19 and -20, and build the entire project on one parcel. Explain how this plan will comply with Riverside County Ordinances.*

**Response:** VSE will execute a lot line adjustment process through the County of Riverside to merge the project parcels into a single parcel. This will comply with Riverside County Ordinances, which do not permit construction across individual parcel boundaries.

## Grant Deed and Title Report

59. *For staff to determine whether parcels 331-250-8,-18,-19 and -20 have legal access, please provide a Grant Deed and Title Report for those parcels.*

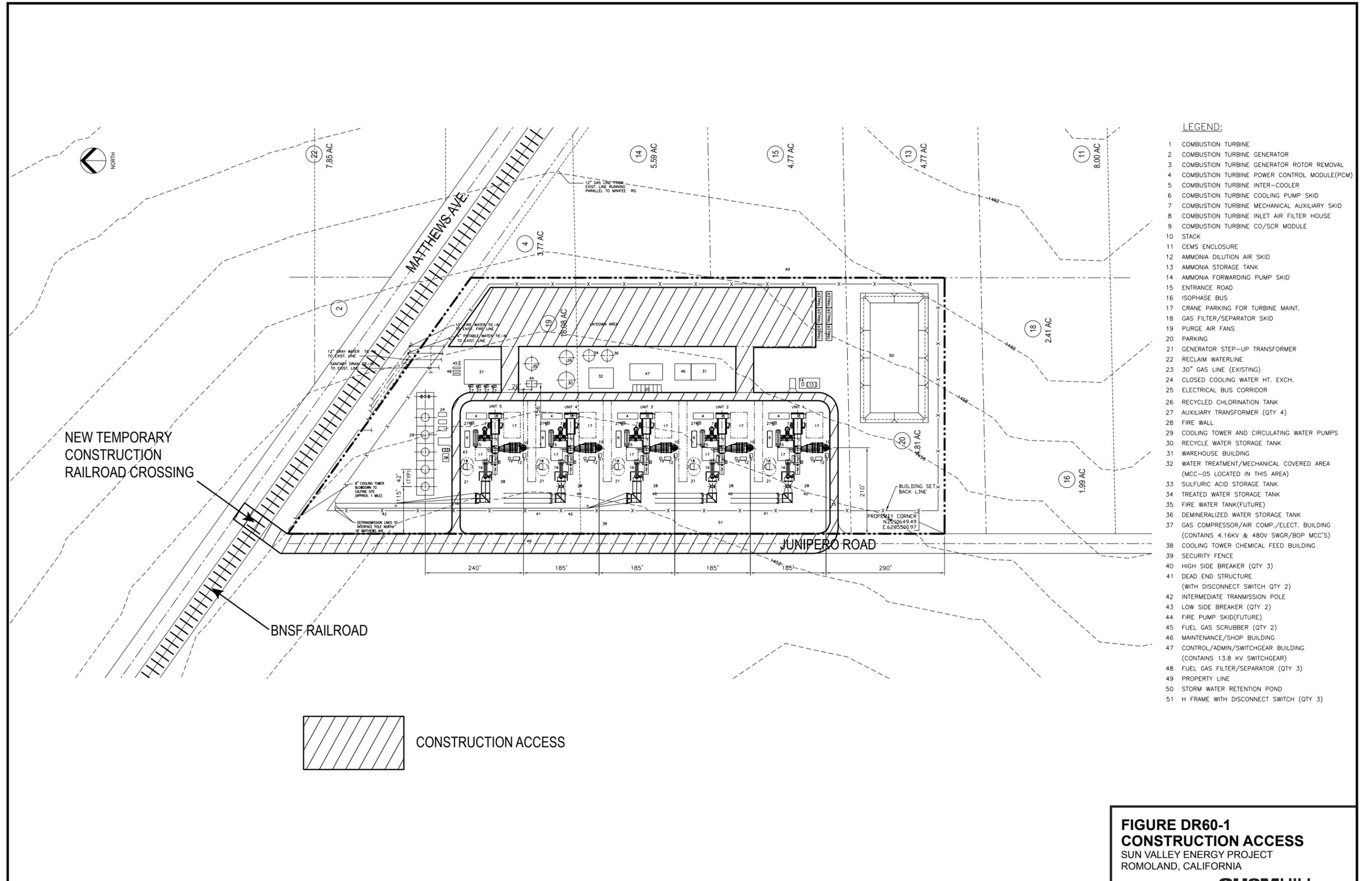
**Response:** Attachment LU-1 provides the Title Report and Grant Deed. A Plotted Easements figure in the title report, reference number 163913, describes the easements along Junipero and Rouse (aka Russell) Roads that are proposed for operational site access.

## Access Route

60. *Please provide a plot plan that shows the planned access route to key areas of the proposed project site including the proposed laydown area shown on the east side of parcel 331-250-19.*

**Response:** Figure DR60-1 shows the planned access route to key areas of the project site including the construction laydown area.





- LEGEND:**
- 1 COMBUSTION TURBINE
  - 2 COMBUSTION TURBINE GENERATOR
  - 3 COMBUSTION TURBINE GENERATOR ROTOR REMOVAL
  - 4 COMBUSTION TURBINE POWER CONTROL MODULE(PCM)
  - 5 COMBUSTION TURBINE INTER-COOLER
  - 6 COMBUSTION TURBINE COOLING PUMP SKID
  - 7 COMBUSTION TURBINE MECHANICAL AUXILIARY SKID
  - 8 COMBUSTION TURBINE INLET AIR FILTER HOUSE
  - 9 COMBUSTION TURBINE CO/SCR MODULE
  - 10 STACK
  - 11 CEMS ENCLOSURE
  - 12 AMMONIA DILUTION AIR SKID
  - 13 AMMONIA STORAGE TANK
  - 14 AMMONIA FORWARDING PUMP SKID
  - 15 ENTRANCE ROAD
  - 16 ISOPHASE BUS
  - 17 CRANE PARKING FOR TURBINE MAINT.
  - 18 GAS FILTER/SEPARATOR SKID
  - 19 PURGE AIR FANS
  - 20 PARKING
  - 21 GENERATOR STEP-UP TRANSFORMER
  - 22 RECLAIM WATERLINE
  - 23 30" GAS LINE (EXISTING)
  - 24 CLOSED COOLING WATER HT. EXCH.
  - 25 ELECTRICAL BUS CORRIDOR
  - 26 RECYCLED CHLORINATION TANK
  - 27 AUXILIARY TRANSFORMER (QTY 4)
  - 28 FIRE WALL
  - 29 COOLING TOWER AND CIRCULATING WATER PUMPS
  - 30 RECYCLE WATER STORAGE TANK
  - 31 WAREHOUSE BUILDING
  - 32 WATER TREATMENT/MECHANICAL COVERED AREA (MCC-05 LOCATED IN THIS AREA)
  - 33 SULFURIC ACID STORAGE TANK
  - 34 TREATED WATER STORAGE TANK
  - 35 FIRE WATER TANK(FUTURE)
  - 36 DEMINERALIZED WATER STORAGE TANK
  - 37 GAS COMPRESSOR/AIR COMP./ELECT. BUILDING (CONTAINS 4.16KV & 480V SWGR/BOP MCC'S)
  - 38 COOLING TOWER CHEMICAL FEED BUILDING
  - 39 SECURITY FENCE
  - 40 HIGH SIDE BREAKER (QTY 3)
  - 41 DEAD END STRUCTURE (WITH DISCONNECT SWITCH QTY 2)
  - 42 INTERMEDIATE TRANSMISSION POLE
  - 43 LOW SIDE BREAKER (QTY 2)
  - 44 FIRE PUMP SKID(FUTURE)
  - 45 FUEL GAS SCRUBBER (QTY 2)
  - 46 MAINTENANCE/SHOP BUILDING
  - 47 CONTROL/ADMIN/SWITCHGEAR BUILDING (CONTAINS 13.8 KV SWITCHGEAR)
  - 48 FUEL GAS FILTER/SEPARATOR (QTY 3)
  - 49 PROPERTY LINE
  - 50 STORM WATER RETENTION POND
  - 51 H FRAME WITH DISCONNECT SWITCH (QTY 3)

**FIGURE DR60-1**  
**CONSTRUCTION ACCESS**  
 SUN VALLEY ENERGY PROJECT  
 ROMOLAND, CALIFORNIA



# Attachment LU-1

Grant Deed and Title Report

---





**First American Title Insurance Company  
National Commercial Services  
3625 Fourteenth Street  
Riverside, CA 92501**

May 16, 2005

Bruce Springer  
Grubb & Ellis  
3401 Center Lake Drive, Suite 500  
Ontario, CA 91761  
Phone: (909) 605-1100  
Fax: (909) 390-8645

Title Officer: Greg Franke  
Phone: (951) 781-8637  
Fax No.: (951) 498-8925  
E-Mail: gfranke@firstam.com

Escrow Officer: Toni L. Williams  
Phone: (909) 510-6200

Buyer: Germania Corporation and/or assignee

Owner: Tuffli Company Inc.

Property: Vacant Land, CA

**PRELIMINARY REPORT**

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage of said Policy or Policies are set forth in Exhibit A attached. Copies of the Policy forms should be read. They are available from the office which issued this report.

**Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.**

**It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.**

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of May 03, 2005 at 7:30 A.M.

The form of Policy of title insurance contemplated by this report is:

Standard Owners

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

Tuffli Company Inc., a California corporation

The estate or interest in the land hereinafter described or referred to covered by this Report is:

A fee.

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. General and special taxes and assessments for the fiscal year 2005-2006, a lien not yet due or payable.
2. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.
3. The lien of bonds and assessment liens, if applicable, collected with the general and special taxes.
4. Water rights, claims or title to water, whether or not shown by the public records.

The following matters affect Parcels A thru D

5. An easement for pole lines, conduits and incidental purposes, recorded May 11, 1928 in Book 765 of Deeds, Page 183.  
In Favor of: Southern Sierras Power Company  
Affects: As described therein
6. An easement for water lines and incidental purposes, recorded July 31, 1947 in Book 861, Page 131 of Official Records.  
In Favor of: Homes Farms Water Company  
Affects: As described therein

7. An easement for a pipeline for transportation of water and incidental purposes, recorded January 29, 1964 as Instrument No. 11707 of Official Records.

In Favor of: Eastern Municipal Water District

(Affects Parcel D)

8. An easement for road and incidental purposes, recorded September 28, 1965 as Instrument No. 110759 of Official Records.

In Favor of: Sun City Development Corporation

Affects: As described therein

(Affects Parcel D)

9. An easement for public utilities and incidental purposes, recorded April 25, 1980 as Instrument No. 78847 of Official Records.

In Favor of: General Telephone Company of California

Affects: As described therein

(Affects Parcel C)

10. The effect of a Declaration of Dedication dated January 10, 1968 executed by Kurt Kragefsky, purporting to irrevocably dedicated in perpetuity for public road purposes, public utility and public services, the property described therein, recorded March 10, 1968 as Instrument No. 54926 of Official Records of Riverside County, California.

The effect of a Resolution by the Riverside County Board of Supervisors accepting said Offer of Dedication for the purpose of vesting title in the County of Riverside on behalf of the public but not as part of the county-maintained road system recorded March 10, 1986 as Instrument No. 54926 of Official Records of Riverside County, California.

11. The effect of a Declaration of Dedication dated January 10, 1986 executed by Kurt Kragefsky, purporting to irrevocably dedicated in perpetuity for public road purposes, public utility and public services the property described therein, recorded March 10, 1968 as Instrument No. 54925 of Official Records of Riverside County, California.

The effect of a Resolution by the Riverside County Board of Supervisors accepting said Offer of Dedication for the purpose of vesting title in the County of Riverside on behalf of the public, but not as part of the county-maintained road system recorded March 10, 1986 as Instrument No. 54925 of Official Records of Riverside County, California.

12. The effect of a Certificate of Compliance and Waiver of Parcel Map recorded May 19, 1986 as Instrument No. 115651 and June 5, 1986 as Instrument No. 131141 both of Official Records of Riverside County, California.

13. The effect of a Certificate of Compliance and Waiver of Parcel Map recorded October 10, 1986 as Instrument No. 253275 of Official Records of Riverside County, California.

The following matters affect Parcel E

14. An easement for public utilities and incidental purposes, recorded May 11, 1928 in Book 765 of Deeds, Page 183.  
In Favor of: Southern Sierras Power Company  
Affects: As described therein
15. Rights of way, reservations, covenants, conditions and restrictions as contained in various deeds of record from Alexander Hursh, Romola, Incorporated, Ethanac Rancho, Ltd., and/or Home Farms Corporation.
16. An easement for a road and incidental purposes in the document recorded July 30, 1971 as Instrument No. 84903 of Official Records.  
  
The exact location and extent of said easement is not disclosed of record.
17. An easement for public utilities and incidental purposes, recorded June 2, 2000 as Instrument No. 00-310505 of Official Records.  
In Favor of: Southern California Edison Company, a corporation  
Affects: As described therein
18. Rights of parties in possession.

**INFORMATIONAL NOTES**

- 1. Taxes for proration purposes only for the fiscal year 2004-2005.  
 First Installment: \$489.61, PAIDWPEN  
 Second Installment: \$489.61, PAID  
 Tax Rate Area: 089-038  
 APN: 331-250-008-0
  
- 2. Taxes for proration purposes only for the fiscal year 2004-2005.  
 First Installment: \$838.86, PAIDWPEN  
 Second Installment: \$838.86, PAID  
 Tax Rate Area: 089-038  
 APN: 331-250-014-5
  
- 3. Supplemental taxes for the fiscal year 2003-2004 assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.  
 First Installment: \$288.39, PAIDWPEN  
 Penalty: \$28.84  
 Second Installment: \$288.39, PAID  
 Penalty: \$48.84  
 Tax Rate Area: 089-038  
 A. P. No.: 051-953-349-3
  
- 4. Taxes for proration purposes only for the fiscal year 2004-2005.  
 First Installment: \$319.41, PAIDWPEN  
 Second Installment: \$319.41, PAID  
 Tax Rate Area: 089-038  
 APN: 331-250-018-9
  
- 5. Supplemental taxes for the fiscal year 2003-2004 assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.  
 First Installment: \$132.06, PAIDWPEN  
 Penalty: \$13.21  
 Second Installment: \$132.06, PAID  
 Penalty: \$33.21  
 Tax Rate Area: 089-038  
 A. P. No.: 051-953-350-3

6. Taxes for proration purposes only for the fiscal year 2004-2005.  
 First Installment: \$2,716.64, PAIDWPEN  
 Second Installment: \$2,716.64, PAID  
 Tax Rate Area: 089-038  
 APN: 331-250-019-0
7. Supplemental taxes for the fiscal year 2003-2004 assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.  
 First Installment: \$1,129.06, PAIDWPEN  
 Penalty: \$112.91  
 Second Installment: \$1,129.06, PAID  
 Penalty: \$132.91  
 Tax Rate Area: 089-038  
 A. P. No.: 051-953-351-4
8. Taxes for proration purposes only for the fiscal year 2004-2005.  
 First Installment: \$725.01, PAIDWPEN  
 Second Installment: \$725.01, PAID  
 Tax Rate Area: 089-038  
 APN: 331-250-020-0
9. Supplemental taxes for the fiscal year 2003-2004 assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.  
 First Installment: \$293.44, PAIDWPEN  
 Penalty: \$29.34  
 Second Installment: \$293.44, PAID  
 Penalty: \$49.34  
 Tax Rate Area: 089-038  
 A. P. No.: 051-953-352-5
10. The property covered by this report is vacant land.
11. According to the public records, there has been no conveyance of the land within a period of twenty four months prior to the date of this report, except as follows:
- A document recorded July 15, 2003 as Instrument No. 2003-523261 of Official Records.  
 From: Eugene Gabrych and Marian Gabrych, husband and wife as joint tenants  
 To: Tuffli Company Inc., a California corporation
- A document recorded July 28, 2004 as Instrument No. 2004-0582362 of Official Records.  
 From: Anacapa Land Company, LLC, a Delaware limited liability company  
 To: Tuffli Company Inc., a California corporation
12. This preliminary report/commitment was prepared based upon an application for a policy of title insurance that identified land by street address or assessor's parcel number only. It is the responsibility of the applicant to determine whether the land referred to herein is in fact the land that is to be described in the policy or policies to be issued.

13. We find no open deeds of trust. Escrow please confirm before closing.

**Wire Instructions**

**Bank Name:** First American Trust Company  
Santa Ana Branch  
421 North Main Street  
Santa Ana, CA 92701

**ABA Number:** 122241255

**For Credit To:** First American Title Company Demand Account  
**Account Number:** 18012

**Reference:** File No.: NCS-163913-ONT1  
Attn: Greg Franke  
Phone: (951) 781-8637

**FUNDS FOR OTHER LOANS BEING INSURED BY FIRST AMERICAN TITLE MUST NOT BE COMBINED INTO ONE WIRE - OR FUNDS MAY BE RETURNED.**

**NOTE: ALL WIRES MUST REFERENCE (1) FIRST AMERICAN TITLE COMPANY AND (2) OUR ACCOUNT NUMBER - OR FUNDS MAY BE RETURNED**

**TO ENSURE RECORDING, THE TITLE OFFICER MUST BE ADVISED BEFORE THE WIRE IS SENT.**

**DISREGARD IF FIRST AMERICAN IS YOUR ESCROW SETTLEMENT AGENT - - CONTACT ESCROW OFFICER FOR WIRE INSTRUCTIONS.**

The map attached, if any, may or may not be a survey of the land depicted hereon. First American expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

**LEGAL DESCRIPTION**

Real property in the unincorporated area of the County of Riverside, State of California, described as follows:

**PARCEL A:**

ALL THAT PORTION OF LOTS 953 THROUGH 958 OF ROMOLA FARMS NO. 10 AS SHOWN BY MAP ON FILE IN BOOK 15 PAGES 29 THROUGH 31 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, INCLUDED WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

BEGINNING AT THE NORTHWEST CORNER OF LOT 953 OF ROMOLA FARMS NO. 10, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 15 PAGE(S) 29, 30 AND 31 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA; THENCE SOUTH 53° 35' 14" EAST ALONG THE SOUTHWESTERLY LINE OF RUSSELL ROAD, 1,567.98 FEET TO A POINT ON THE WESTERLY LINE OF MENIFEE ROAD; THENCE SOUTH 0° 31' 24" WEST, ALONG THE WESTERLY LINE OF MENIFEE ROAD, 1,406.84 FEET TO A POINT ON THE NORTHERLY LINE OF ROUSE ROAD; THENCE NORTH 89° 51' 11" WEST, ALONG THE NORTHERLY LINE OF SAID ROAD, 306.36 FEET; THENCE NORTH 53° 35' 14" WEST, 1,221.69 FEET TO A POINT ON THE EASTERLY LINE OF JUNIPERO ROAD; THENCE NORTH 0° 31' 38" EAST, ALONG THE EASTERLY LINE OF SAID ROAD, 1,611.62 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION LYING EASTERLY OF THE EASTERLY LINES OF LOTS 954 THROUGH 959 INCLUSIVE OF SAID TRACT;

ALSO EXCEPT THAT PORTION LYING SOUTH OF A LINE PARALLEL WITH AND 360 FEET NORTHERLY, MEASURED AT RIGHT ANGLES FROM THE NORTHERLY LINE OF LOT C (ROUSE ROAD) AS SHOWN ON SAID MAP.

**PARCEL B:**

THE EAST HALF OF LOT G (JUNIPERO ROAD) OF ROMOLA FARMS NO. 10, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 15 PAGE(S) 29, 30 AND 31 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

EXCEPT THAT PORTION OF SAID LOT G DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT G; THENCE NORTH 722.75 FEET TO THE POINT ON THE EASTERLY LINE OF SAID LOT; THENCE NORTH 53° 35' 14" WEST, TO A POINT ON THE WESTERLY LINE OF SAID LOT G; THENCE SOUTH ALONG THE WESTERLY LINE TO THE SOUTHWEST CORNER OF SAID LOT; THENCE EASTERLY TO THE POINT OF BEGINNING.

**PARCEL C:**

THAT PORTION OF LOT A (RUSSELL ROAD) OF ROMOLA FARMS NO. 10, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 15 PAGE(S) 29, 30 AND 31 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, WHICH LIES SOUTHERLY OF THE SOUTHERLY LINE OF LOT A (MC LAUGHLIN ROAD) PROLONGED EASTERLY ACROSS RUSSELL ROAD AND WESTERLY OF THE NORTHERLY PROLONGATION OF THE WESTERLY LINE

OF LOT J (MENIFEE ROAD), AS SAID ROADS ARE SHOWN ON SAID MAP, SAID ROAD HAVING BEEN VACATED FEBRUARY 5, 1962 BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY, A COPY OF SAID RESOLUTION HAVING BEEN RECORDED FEBRUARY 6, 1962 AS INSTRUMENT NO. 11656 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

EXCEPT THAT PORTION LYING WESTERLY OF THE NORTHERLY PROLONGATION OF THE CENTER LINE OF LOT G, AS SHOWN ON SAID MAP;

ALSO EXCEPT THAT PORTION LYING EASTERLY OF THE NORTHERLY PROLONGATION OF THE EASTERLY LINES OF LOTS 954 THROUGH 959 INCLUSIVE AS SHOWN ON SAID MAPS.

PARCEL D:

LOTS 980 AND 981 OF ROMOLA FARMS NO. 10, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 15 PAGE 29 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

TOGETHER WITH THAT PORTION OF LOT A (RUSSELL ROAD) ADJOINING SAID LAND, VACATED, FEBRUARY 5, 1962 BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY, A CERTIFIED COPY OF SAID RESOLUTION HAVING BEEN RECORDED FEBRUARY 6, 1962 AS INSTRUMENT NO. 11656 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, WHICH WOULD PASS BY NORMAL OPERATION OF LAW.

PARCEL E:

THOSE PORTIONS OF LOTS 958, 959 AND 976 OF ROMOLA FARMS NO. 10, AS SHOWN BY MAP ON FILE IN BOOK 15 PAGE(S) 29 TO 31, INCLUSIVE, OF MAPS, RECORDS OF RIVERSIDE COUNTRY, CALIFORNIA, TOGETHER WITH THAT PORTION OF LOT G (JUNIPERO ROAD) ADJOINING SAID LOTS 958 AND 959 ON THE WEST AND TOGETHER WITH THAT PORTION OF LOT C (RUSSEL, FORMERLY ROUSE ROAD) ADJOINING SAID LOTS 959 AND 976 ON THE SOUTH AS SAID ROADS WERE VACATED AND ABANDONED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, A CERTIFIED COPY OF WHICH RECORDED FEBRUARY 6, 1962 AS INSTRUMENT NO. 11656 OF OFFICIAL RECORDS, LYING SOUTHERLY OF A LINE PARALLEL WITH AND 390 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE SOUTHERLY LINE OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN;

EXCEPTING THEREFROM THAT PORTION THEREOF LYING NORTHEASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT IN THE SOUTHERLY LINE OF SAID LOT 976, SAID POINT BEING NORTH 89°51'11" WEST 306.36 FEET, MEASURED ALONG SAID LAST MENTIONED SOUTHERLY LINE FROM THE SOUTHEAST CORNER OF SAID LOT 976; THENCE NORTH 53°35'14" WEST, 1221.69 FEET TO A POINT ON THE EASTERLY LINE OF SAID JUNIPERO ROAD, (LOT G), SAID LAST MENTIONED POINT BEING SOUTH 00°31'31" WEST, 1611.29 FEET, MEASURED ALONG SAID EASTERLY LINE FROM THE NORTHWEST CORNER OF LOT 953, AS SHOWN ON SAID MAP OF ROMOLA FARMS NO. 10.

APN: 331-250-008-0 and 331-250-014-5 and 331-250-018-9 and 331-250-019-0 and 331-250-020-0

**The First American Corporation**  
First American Title Company  
Privacy Policy

**We Are Committed to Safeguarding Customer Information**

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

**Applicability**

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values, a copy of which can be found on our website at [www.firstam.com](http://www.firstam.com).

**Types of Information**

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

**Use of Information**

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

**Former Customers**

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

**Confidentiality and Security**

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

**EXHIBIT A  
LIST OF PRINTED EXCEPTIONS AND EXCLUSIONS (BY POLICY TYPE)**

**1. CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990  
SCHEDULE B**

**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notice of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.

**EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.  
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
  - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
  - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
  - (c) resulting in no loss or damage to the insured claimant;
  - (d) attaching or created subsequent to Date of Policy; or
  - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable "doing business" laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by their policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

**2. AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY FORM B - 1970  
SCHEDULE OF EXCLUSIONS FROM COVERAGE**

1. Any law, ordinance or governmental regulation (including but not limited to building and zoning ordinances) restricting or regulating or prohibiting the occupancy, use or enjoyment of the land, or regulating the character, dimensions or location of any improvement now or hereafter erected on the land, or prohibiting a separation in ownership or a reduction in the dimensions of area of the land, or the effect of any violation of any such law, ordinance or governmental regulation.
2. Rights of eminent domain or governmental rights of police power unless notice of the exercise of such rights appears in the public records at Date of Policy.
3. Defects, liens, encumbrances, adverse claims, or other matters (a) created, suffered, assumed or agreed to by the insured claimant; (b) not known to the Company and not shown by the public records but known to the insured claimant either at Date of Policy or at the date such claimant acquired an estate or interest insured by this policy and not disclosed in writing by the insured claimant to the Company prior to the date such insured claimant became an insured hereunder; (c) resulting in no loss or damage to the insured claimant; (d) attaching or

created subsequent to Date of Policy; or (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.

**3. AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY FORM B - 1970  
WITH REGIONAL EXCEPTIONS**

When the American Land Title Association policy is used as a Standard Coverage Policy and not as an Extended Coverage Policy the exclusions set forth in paragraph 2 above are used and the following exceptions to coverage appear in the policy.

**SCHEDULE B**

This policy does not insure against loss or damage by reason of the matters shown in parts one and two following:

Part One

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

**4. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 1970  
WITH A.L.T.A. ENDORSEMENT FORM 1 COVERAGE  
SCHEDULE OF EXCLUSIONS FROM COVERAGE**

1. Any law, ordinance or governmental regulation (including but not limited to building and zoning ordinances) restricting or regulating or prohibiting the occupancy, use or enjoyment of the land, or regulating the character, dimensions or location of any improvement now or hereafter erected on the land, or prohibiting a separation in ownership or a reduction in the dimensions or area of the land, or the effect of any violation of any such law ordinance or governmental regulation.
2. Rights of eminent domain or governmental rights of police power unless notice of the exercise of such rights appears in the public records at Date of Policy.
3. Defects, liens, encumbrances, adverse claims, or other matters (a) created, suffered, assumed or agreed to by the insured claimant, (b) not known to the Company and not shown by the public records but known to the insured claimant either at Date of Policy or at the date such claimant acquired an estate or interest insured by this policy or acquired the insured mortgage and not disclosed in writing by the insured claimant to the Company prior to the date such insured claimant became an insured hereunder, (c) resulting in no loss or damage to the insured claimant; (d) attaching or created subsequent to Date of Policy (except to the extent insurance is afforded herein as to any statutory lien for labor or material or to the extent insurance is afforded herein as to assessments for street improvements under construction or completed at Date of Policy).
4. Unenforceability of the lien of the insured mortgage because of failure of the insured at Date of Policy or of any subsequent owner of the indebtedness to comply with applicable "doing business" laws of the state in which the land is situated.

**5. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 1970  
WITH REGIONAL EXCEPTIONS**

When the American Land Title Association Lenders Policy is used as a Standard Coverage Policy and not as an Extended Coverage Policy, the exclusions set forth in paragraph 4 above are used and the following exceptions to coverage appear in the policy.

**SCHEDULE B**

This policy does not insure against loss or damage by reason of the matters shown in parts one and two following:

Part One

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

**6. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 1992  
WITH A.L.T.A. ENDORSEMENT FORM 1 COVERAGE  
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy; (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:
  - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
  - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
  - (c) resulting in no loss or damage to the insured claimant;
  - (d) attaching or created subsequent to Date of Policy (except to the extent that this policy insures the priority of the lien of the insured mortgage over any statutory lien for services, labor or material or the extent insurance is afforded herein as to assessments for street improvements under construction or completed at date of policy); or
  - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable "doing business" laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any statutory lien for services, labor or materials (or the claim of priority of any statutory lien for services, labor or materials over the lien of the insured mortgage) arising from an improvement or work related to the land which is contracted for and commenced subsequent to Date of Policy and is not financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance.
7. Any claim, which arises out of the transaction creating the interest of the mortgagee insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
  - (i) the transaction creating the interest of the insured mortgagee being deemed a fraudulent conveyance or fraudulent transfer; or
  - (ii) the subordination of the interest of the insured mortgagee as a result of the application of the doctrine of equitable subordination; or
  - (iii) the transaction creating the interest of the insured mortgagee being deemed a preferential transfer except where the preferential transfer results from the failure:
    - (a) to timely record the instrument of transfer; or
    - (b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

**7. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 1992  
WITH REGIONAL EXCEPTIONS**

When the American Land Title Association policy is used as a Standard Coverage Policy and not as an Extended Coverage Policy the exclusions set forth in paragraph 6 above are used and the following exceptions to coverage appear in the policy.

**SCHEDULE B**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

**8. AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY - 1992**

**EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.  
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:
  - (a) created, suffered, assumed or agreed to by the insured claimant;
  - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
  - (c) resulting in no loss or damage to the insured claimant;
  - (d) attaching or created subsequent to Date of Policy; or
  - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
  - (i) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
  - (ii) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
    - (a) to timely record the instrument of transfer; or
    - (b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

**9. AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY - 1992  
WITH REGIONAL EXCEPTIONS**

When the American Land Title Association policy is used as a Standard Coverage Policy and not as an Extended Coverage Policy the exclusions set forth in paragraph 8 above are used and the following exceptions to coverage appear in the policy.

**SCHEDULE B**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

Part One:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

**10. AMERICAN LAND TITLE ASSOCIATION RESIDENTIAL  
TITLE INSURANCE POLICY - 1987  
EXCLUSIONS**

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes building and zoning ordinances and also laws and regulations concerning:
 

|                            |                            |
|----------------------------|----------------------------|
| * land use                 | * land division            |
| * improvements on the land | * environmental protection |

This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at Policy Date.  
This exclusion does not limit the zoning coverage described in items 12 and 13 of Covered Title Risks.
2. The right to take the land by condemning it, unless:

- \* a notice of exercising the right appears in the public records on the Policy Date
- \* the taking happened prior to the Policy Date and is binding on you if you bought the land without knowing of the taking.

3. Title Risks:

- \* that are created, allowed, or agreed to by you
- \* that are known to you, but not to us, on the Policy Date - unless they appeared in the public records
- \* that result in no loss to you
- \* that first affect your title after the Policy Date - this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks

4. Failure to pay value for your title.

5. Lack of a right:

- \* to any land outside the area specifically described and referred to in Item 3 of Schedule A, or
- \* in streets, alleys, or waterways that touch your land

This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

**11. EAGLE PROTECTION OWNER'S POLICY**

**CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE - 1998**

**ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE - 1998**

**Covered Risks 14 (Subdivision Law Violation). 15 (Building Permit). 16 (Zoning) and 18 (Encroachment of boundary walls or fences) are subject to Deductible Amounts and Maximum Dollar Limits of Liability**

**EXCLUSIONS**

In addition to the Exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or government regulation. This includes ordinances, laws and regulations concerning:
 

|                  |                             |
|------------------|-----------------------------|
| a. building      | b. zoning                   |
| c. land use      | d. improvements on the land |
| e. land division | f. environmental protection |

This exclusion does not apply to violations or the enforcement of these matters if notice of the violation or enforcement appears in the Public Records at the Policy Date.

This exclusion does not limit the coverage described in Covered Risk 14, 15, 16, 17 or 24.

2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at the Policy Date.
3. The right to take the Land by condemning it, unless:
  - a. a notice of exercising the right appears in the Public Records at the Policy Date; or
  - b. the taking happened before the Policy Date and is binding on You if You bought the Land without Knowing of the taking.
4. Risks:
  - a. that are created, allowed, or agreed to by You, whether or not they appear in the Public Records;
  - b. that are Known to You at the Policy Date, but not to Us, unless they appear in the Public Records at the Policy Date;
  - c. that result in no loss to You; or
  - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.d, 22, 23, 24 or 25.
5. Failure to pay value for Your Title.
6. Lack of a right:
  - a. to any Land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
  - b. in streets, alleys, or waterways that touch the Land.

This exclusion does not limit the coverage described in Covered Risk 11 or 18.

**12. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 1992 WITH A.L.T.A. ENDORSEMENT FORM 1 COVERAGE WITH EAGLE PROTECTION ADDED**

**EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the Land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the Land; (iii) a separation in ownership or a change in the dimensions or area of the Land or any parcel of which the Land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the Land has been recorded in the Public Records at Date of Policy. This exclusion does not limit the coverage provided under insuring provisions 14, 15, 16 and 24 of this policy.  
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at Date of Policy. This exclusion does not limit the coverage provided under insuring provisions 14, 15, 16 and 24 of this policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the Public Records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without Knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
  - (a) created, suffered, assumed or agreed to by the Insured Claimant;
  - (b) not known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - (c) resulting in no loss or damage to the Insured Claimant;
  - (d) attaching or created subsequent to Date of Policy (this paragraph (d) does not limit the coverage provided under insuring provisions 7, 8, 16, 17, 19, 20, 21, 23, 24 and 25); or
  - (e) resulting in loss or damage which would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of the Insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the Land is situated.
5. Invalidity or unenforceability of the lien of the Insured Mortgage, or claim thereof, which arises out of the transaction evidenced by the Insured Mortgage and is based upon:
  - (a) usury, except as provided under insuring provision 10 of this policy; or
  - (b) any consumer credit protection or truth in lending law.
6. Taxes or assessments of any taxing or assessment authority which become a lien on the Land subsequent to Date of Policy.
7. Any claim, which arises out of the transaction creating the interest of the mortgagee insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
  - (a) the transaction creating the interest of the insured mortgagee being deemed a fraudulent conveyance or fraudulent transfer; or
  - (b) the subordination of the interest of the insured mortgagee as a result of the application of the doctrine of equitable subordination; or
  - (c) the transaction creating the interest of the insured mortgagee being deemed a preferential transfer except where the preferential transfer results from the failure:
    - (i) to timely record the instrument of transfer; or
    - (ii) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.
8. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This exclusion does not limit the coverage provided under insuring provision 7.
9. Lack of priority of the lien of the Insured Mortgage as to each and every advance made after Date of Policy, and all interest charged thereon, over liens, encumbrances and other matters affecting title, the existence of which are Known to the Insured at:
  - (a) The time of the advance; or
  - (b) The time a modification is made to the terms of the Insured Mortgage which changes the rate of interest charged, if the rate of interest is greater as a result of the modification than **it would have** been before the modification.
 This exclusion does not limit the coverage provided under insuring provision 7.

#### **SCHEDULE B**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Environmental protection liens provided for by the following existing statutes, which liens will have priority over the lien of the Insured Mortgage when they arise: NONE.

#### **13. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 1992 WITH EAGLE PROTECTION ADDED WITH REGIONAL EXCEPTIONS**

When the American Land Title Association loan policy with EAGLE Protection Added is used as a Standard Coverage Policy and not as an Extended Coverage Policy the exclusions set forth in paragraph 12 above are used and the following exceptions to coverage appear in the policy.

#### **SCHEDULE B**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

Part One:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.

3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

Part Two:

1. Environmental protection liens provided for by the following existing statutes, which liens will have priority over the lien of the Insured Mortgage when they arise: NONE

Approved as to legal features: I.B.P. Attorney

Received for record May 11, 1928, at 45 min. past 11 o'clock A. M. at request of #869  
I. B. Potter, Copied in Book No. 765 of Deeds, page 182, et seq., Records of  
Riverside County, California.

Fees \$1.00

Jack A. Ross, Recorder

Compared: Copyist; A. Lamkin; Comparer: E. Kettering

-o-o-o-

ALEXANDER HURSH )  
TO ( RIGHT OF WAY  
SOUTHERN SIERRAS POWER COMPANY ) Los Angeles, California, May 4, 1928

WHEREAS, ALEXANDER HURSH, doing business under the fictitious name and style of the Pacific Development Company, is the owner of certain lands comprised in a single parcel and located in the County of Riverside, State of California, which parcel of land has been by said owner subdivided into lots, blocks, streets, alleys highways and public places as shown on a map or plat entitled "Remola Farms No. 10 Being a Subdivision of the SW $\frac{1}{2}$  of Sec. 13; the SE $\frac{1}{2}$  of Sec. 14; the E $\frac{1}{2}$  of the NE $\frac{1}{2}$  and the NW $\frac{1}{2}$  of the NE $\frac{1}{2}$  and a portion of the SW $\frac{1}{2}$  of the NE $\frac{1}{2}$  of sec. 23; the NW $\frac{1}{2}$  and the W $\frac{1}{2}$  of the NE $\frac{1}{2}$  and a portion of the E $\frac{1}{2}$  of the NE $\frac{1}{2}$  of Sec. 24 T 5 S. R 3 W; and a portion of the NW $\frac{1}{2}$  of Sec. 19, T 5 S. R 2 W. S. E. M."

which map or plat is now of record in Map Book Number 15 at pages 29-30-31 records of Riverside County; and

WHEREAS, it is desired by the parties hereto that a supply of electric energy be transmitted to and public services continuously delivered and maintained upon said parcel of land by The Southern Sierras Power Company, an electrical public service corporation, or by its successors or assigns, so that the present and future owners and occupants of the various lots and blocks included within said entire parcel may enjoy electric service from time to time; now therefore,

THIS INDENTURE FURTHER WITNESSETH:

That for and in consideration of the premises and the sum of One Dollar (\$1.00) lawful current money of the United States of America, in hand paid to the undersigned grantor by the said The Southern Sierras Power Company, receipt whereof is hereby fully acknowledged, a right of way is hereby granted to the said The Southern Sierras Power Company, its successors and assigns with the right to erect and maintain its poles or other supports with wires and fixtures thereon necessary for the purposes of the said The Southern Sierras Power Company along over, across and upon all the streets, alleys highways and public places, and over, along and upon all division property lines (excepting those lot property lines which coincide with the boundary lines of the various streets and alleys) which are shown on the above described map or plat as being a part of the said subdivision; and to clear, grade and keep its said right of way, with the poles, wires and fixtures thereon, free from brush and wood growth to such width as may be necessary for protection against fire.

It is understood and agreed that by its acceptance of this grant the said The Southern Sierras Power Company agrees, for itself and its successors to erect and maintain its electric service lines along the right of way line or lines herein

described only in such manner, to such extent and at such times as will meet the actual and reasonable needs of the owners and occupants of the lots and blocks included in the said subdivision parcel. It being further agreed and understood that such extensions of service shall in each case be justified by an assured reasonable revenue to be derived therefrom.

It is agreed that the employees of the said The Southern Sierras Power Company, with their equipment, shall whenever necessary have the right of access, transportation and travel to and along said right of way and the supports and wires thereon, for all necessary purposes, including the purposes of inspection, renewals, repairs and additions provided always that the said Power Company, its successors or assigns, shall be responsible for any damages which may by such employees be unnecessarily done to the property above described.

PACIFIC DEVELOPMENT COMPANY

By Alexander Hursh, Its sole owner

Ferris R.E.A. 516 - 342

State of California, )  
                          ) ss  
County of Los Angeles.)

On this 4th day of May, in the year one thousand nine hundred and twenty eight, before me, Lucile M. Head, a Notary Public in and for said County and State, personally appeared Alexander Hursh, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

WITNESS my hand and official seal the day and year in this certificate first above written.

Lucile M. Head,  
Notary Public in and for the County of  
Los Angeles, State of California.  
My Commission expires April 17, 1931

(NOTARIAL SEAL)

Description checked: P.V. H. Approved, E.J.W. Engineer  
Approved as to legal features: I.B.P. Attorney

#870

Received for record May 11, 1928, at 45 min. past 11 o'clock A. M. at request of  
I. B. Potter, Copied in Book No. 765 of Deeds, page 183, et seq., Records of  
Riverside County, California.

Fees \$1.20

Jack A. Ross, Recorder

Compared: Copyist; A. Lemkin; Comparer: E. Kettering

HOME FARMS WATER COMPANY ET AL )  
TO ) DEED OF ASSETS OF CORPORATION IN DISSOLUTION  
ALBERT E. KERN, ET AL )

THIS DEED, made December 15th, 1943, between HOME FARMS WATER COMPANY, a California Corporation, and ALBERT E. KERN, SAMUEL HAMBURGER, AL FREEDMAN and LEWIS B. LEVIN, constituting all of the Directors of said Home Farms Water Company, parties of the first part, and ALBERT E. KERN, AL FREEDMAN and SAMUEL HAMBURGER, constituting the owners and holders, in equal shares, of the entire issued and outstanding shares of the capital stock of said Home Farms Water Company, parties of the second part,

W I T N E S S E T H :

WHEREAS, all of the shareholders of said Home Farms Water Company heretofore, in writing, consented to and authorized the dissolution of said corporation, and in said writing requested that all of the known assets and property, real and personal, of said corporation be assigned, granted, conveyed and distributed in kind in equal undivided interests to its shareholders; and

WHEREAS, Albert E. Kern, Al Freedman and Samuel Hamburger constitute all of the owners and holders, in equal shares, of the entire issued and outstanding shares of the capital stock of said Home Farms Water Company; and

WHEREAS, the certificate of the election to wind up and dissolve said corporation was filed in the office of the Secretary of State of the State of California on November 24th, 1943, and a certified copy of said certificate was filed in the office of the County Clerk of Riverside County, California, on November 29th, 1943; and

WHEREAS, said corporation has no debts or liabilities excepting indebtedness to said parties of the second part herein;

NOW, THEREFORE, in accordance with the plan and method of dissolution of said corporation, viz, the conveyance of all known assets thereof to said three shareholders, and for the purpose of accomplishing the winding up and dissolution of said corporation and to so distribute its said assets so that the final certificate of dissolution can be made and filed, and parties of the first part herein do hereby grant, assign, convey and distribute to the parties of the second part herein, in equal shares, the following described property in Riverside County, California, to-wit:

Parcel 1. The South 122 feet of Lot 125 and that certain portion of Lot 131 of Romola Farms No. 3, recorded in Book 13, page 80 of Maps in the office of the County Recorder of the County of Riverside, State of California, lying within the East 53 acres of the West 106-2/3 acres of the Northeast quarter of Section 10, Township 5 South, Range 3 West, San Bernardino Base and Meridian.

Parcel 2. Lot 141 and that portion of Lot 131 of Romola Farms No. 3, as per map recorded in Book 13, page 80 of Maps in the office of the County Recorder of the County of Riverside, State of California, lying within the East 53 acres of the Northeast quarter of Section 10, Township 5 South, Range 3 West, San Bernardino Base and Meridian.

Parcel 3. The East 256 feet of Lot 260-A of Romola Farms No. 5, as per map on file in Book 14, pages 44, 45 and 46 of Maps in the office of the County Recorder of the County of Riverside, State of California.

Parcel 4. The East 30 feet of that portion of the West half of the Southwest quarter of Section 10, Township 5 South, Range 3 West, San Bernardino Base and Meridian, lying within the boundary lines of Lot 6 of Waters Homestead, as shown by map on file in Book 14, page 681, of Maps, in the office of the County Recorder of the County of San Diego.

Parcel 5. All water, water rights, pipe lines, pumping plants and equipment used in connection therewith, pump house, flumes, pipe lines and other conduits for the carriage and distribution of water now located on or appurtenant to Parcel 1 herein, together with the right to enter upon said Parcel 1 and dig or otherwise excavate for wells or for the purpose of water development, together with a right of way for pipe lines and other conduits necessary to carry water from any wells now located or may at any time in the future be located thereon, together with sufficient ground around any well now or hereafter located on said Parcel 1 necessary for the proper utilization of the said well or other water development, together with the right to enter thereon for the purpose of maintenance thereof, together with all other property and rights reserved in deed from R. G. Watson, et al (predecessors in interest of Home Farms Water Company, formerly Watson Water Company), recorded September 5th, 1925, in Book 651, page 173 of Deeds and in deed recorded October 22nd, 1925, in Book 653, page 324, of Deeds in the office of the County Recorder of the County of Riverside, California, to which records reference is made for particulars.

Parcel 6. The perpetual and exclusive right to all water at any time being on or under said Parcels 1 and 4, including the right to enter upon said land for the purpose of drilling wells, and a right of way across said property or any part thereof for laying, maintaining, use and repair of such pipe lines and ditches as may be necessary for the conveyance of water, together with all wells, well equipment, pumps, pumping equipment, pipe lines, pipe equipment, open ditches and reservoirs on said Parcels 1 and 4 as granted to Watson Water Company, a corporation, now Home Farms Water Company, a corporation, by deed recorded July 19th, 1933, in Book 129, page 50 of Official Records and recorded June

June 6th, 1935, in Book 236, page 83 of Official Records in the office of the County Recorder of the County of Riverside, State of California, together with all other property and rights conveyed by said deeds, to which records reference is made for particulars.

Parcel 7. The right to enter said Parcel 2 for the purpose of construction, maintaining and repairing any wells, pipe lines or other water conduits as may be necessary for the conveyance of water over, across, or through Parcel 2, together with all water and water rights belonging, or in anywise appurtenant to said property, together with perpetual and exclusive right to all water in or under said land, and further reserving the ownership of any well, well equipment, pumping plants or appurtenances thereto as reserved in the deed from Home Farms Water Company, a corporation, to Irving Fogler and Myrtle O. Fogler, husband and wife, recorded October 28th, 1940, in Book 558, Page 377 of Official Records in the office of the County Recorder of the County of Riverside, State of California, together with all other property and rights reserved in said deed, to which record reference is made for particulars.

Parcel 8. All water rights, pipe lines and pumping equipment in and upon Parcel 4 as described in the deed from Milton J. Trumble and wife to Watson Water Company, now Home Farms Water Company, a corporation, by deed recorded October 29th, 1927, in Book 738, page 68 of Deeds in the office of the County Recorder of the County of Riverside, State of California, together with all other property and rights conveyed by said deed, to which record reference is made for particulars.

Parcel 9. Seven operating water wells, including their pumps, motors, pipe and all other equipment thereof and the lands upon which they are located, and the right to operate and take and transport water from each of said wells, and the right of ingress and egress to and from each of said wells, which are known and located as follows:

Well No. 8 on Lot 131, Well No. 9 on Lot 141, and Well No. 10 on Lot 125 of Romola Farms No. 3 in the Northeast quarter of Section 10, as per map recorded in Book 13, page 50 of Maps in the office of the County Recorder of Riverside County, California.

Well No. 23 on the East 30 feet of that portion of the West half of the Southwest quarter of Section 10, Township 5 South, Range 3 West, San Bernardino Base and Meridian, lying within the boundary lines of Lot 6 of Waters Homestead, as shown by map on file in Book 14, page 691 of Maps in the office of the County Recorder of the County of San Diego.

Well No. 11 on Lot 32 of Ramola Farms No. 5 near the Southwest corner of the Northwest quarter of Section 11, as per map on file in Book 14, pages 44, 45 and 46 of Maps in the office of the County Recorder of Riverside County, California.

Well No. 13 on Lot 37 of Ramola Farms No. 5 near the Northwest corner of the Southeast quarter of Section 11, as per map on file in Book 14, pages 44, 45 and 46 of Maps in the office of the County Recorder of Riverside County, California.

Well No. 15 in Lot 268A of Ramola Farms No. 5 in the Southeast quarter of Section 12, as per map on file in Book 14, pages 44, 45 and 46 of Maps in the office of the County Recorder of Riverside County, California.

Parcel 10. Two Water Booster Plants, including pumps, motors, pipe and all other equipment thereof and the lands upon which they are located, and the right to operate them, and the right of ingress and egress to and from each of them, which are located as follows:

One near the Southeast corner of Section 10 in Romoland.

The Other in Lot 590 of Ramola Farms No. 10 in the Southeast quarter of Section 14.

Parcel 11. The water Reservoir on Lots 12, 13 and 20 of Ramola Farms No. 5 in the Northwest quarter of Section 11 and the land upon which said reservoir is located, and the rights to use the same to store and remove and use water.

Parcel 12. All of the pipe lines connected with said seven water wells and all of the pipe lines running from said wells to the lands irrigated thereby; and all of the pipe lines connected with said two water booster plants and all of the pipe lines running from said booster plants to the lands irrigated thereby.

The exclusive right to use all of the above described pipe lines for transportation of water to the lands irrigated thereby, and the right to maintain, repair and replace all of said pipe lines, with rights of ingress and egress to and from said pipe lines for the exercise of all of said rights of use, maintenance, repair and replacement, and the rights of way across lands of others for the exercise of all of said rights of use, maintenance, repair and replacement.

Also all other property, whether real, personal or mixed, and any interest therein, wherever situated in the State of California owned by Home Farms Water Company and/or standing of record in the name of Home Farms Water Company or in its former name of Watson Water Company, a Corporation, whether described herein or not.

IN WITNESS WHEREOF, said Home Farms Water Company has caused its corporate name and seal to be subscribed and affixed hereto by its Vice President and Secretary, pursuant to resolutions of its directors and shareholders, and the said directors of said corpora-

tion have affixed their signatures hereto as such directors, all on the day and year first hereinabove set forth.

(CORPORATE SEAL)

HOME FARMS WATER COMPANY,  
By Al Freedman, Vice President  
By Samuel Hamburger, Secretary.

Albert E. Kern  
Al Freedman  
Samuel Hamburger  
Lewis B. Levin

STATE OF CALIFORNIA )  
County of San Francisco ) ss.

On this 15th day of December in the year one thousand nine hundred and forty-three before me, Mary A. Lapachet, a Notary Public in and for the City and County of San Francisco, State of California, residing therein, duly commissioned and sworn, personally appeared Samuel Hamburger known to me to be the Secretary of the corporation described in and that executed the within instrument, and also known to me to be the person who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal in the City and County of San Francisco, the day and year in this certificate first above written.

Mary A. Lapachet  
Notary Public in and for the City and County  
of San Francisco, State of California.

(NOTARIAL SEAL)

My commission expires October 29, 1945

STATE OF CALIFORNIA )  
CITY AND COUNTY OF SAN FRANCISCO ) ss.  
~~CITY-OF-SAN-FRANCISCO-~~ )

On this 15th day of December, 1943, before me, MARY A. LAPACHET, a Notary Public in and for said County and State, personally appeared Albert E. Kern, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

WITNESS my hand and official seal.

Mary A. Lapachet  
Notary Public in and for  
said County and State.

(NOTARIAL SEAL)

My commission expires October 30, 1945

STATE OF CALIFORNIA )  
CITY AND COUNTY OF SAN FRANCISCO ) ss.  
~~COUNTY-OF-LOS-ANGELES~~ )

On this 15th day of December, 1943, before me, MARY A. LAPACHET, a Notary Public in and for said County and State, personally appeared Samuel Hamburger, ~~Al Freedman~~, and Lewis B. Levin, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

M.A.L.  
n.p.

WITNESS my hand and official seal.

Mary A. Lapachet,  
Notary Public in and for  
said County and State.

(NOTARIAL SEAL)

My commission expires October 30, 1945.

STATE OF CALIFORNIA, )  
County of Los Angeles ) ss.

On this ~~15th~~ 20th day of ~~December~~ November, 1943 1946, before me, K. Egan, a Notary Public in and for said County and State, personally appeared Al Freedman, known to me to be the Vice President ~~and known to me to be the Secretary~~ of the corporation described in and that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.

K. Egan,  
K. EGAN  
NOTARY PUBLIC

(NOTARIAL SEAL)

My commission expires October 29, 1948

STATE OF CALIFORNIA, )  
County of Los Angeles ) ss.

On this 20th day of November, 1946, before me, the undersigned, a Notary Public in and for said County, personally appeared Al Freedman, known to me to be the person

whose name is subscribed to the within instrument, and acknowledged that he executed the same.

WITNESS my hand and official seal.

(NOTARIAL SEAL)

My commission expires Oct. 29, 1948

K. Egan,  
K. EGAN,  
NOTARY PUBLIC

#3962

Received for record Jul 31, 1947 at 30 Min. past 9 o'clock A.M., at request of SECURITY TITLE INS. & TRST. CO. Copied in Book No. 861 of Official Records, Page 131, et seq., Records of Riverside County, California.

Fees \$4.60

Jack A. Ross, Recorder

Compared: Courtist J. Hale;

Comparer D. Merritt.

+++++

NOTICE OF COMPLETION

STATE OF CALIFORNIA, )  
County of Riverside ) ss.

George E. Stearns and Laura V. Stearns, his wife, Arlington, California, being first duly sworn, deposes and says: that he is now, and was upon the 8th day of January, 1947, the owner-in fee simple of that certain real property situated in the city-of, County of Riverside, State of California, and particularly described as follows, to-wit: No. 11205 Pierce Street, in the-city-of said County and State, which premises are particularly described as follows, to-wit:

Beginning at a point on the Southeasterly line of said Lot 2, 50 feet Southwesterly from the most Easterly corner thereof, said point being also the Southwesterly corner of that certain parcel of land conveyed to Paul Gallion by Deed recorded July 12, 1940 in Book 462 page 510 of Official Records of Riverside County, California;

Thence South 60° 37' West along the Southeasterly line of said Lot, 40 feet;

Thence North 27° 25' 30" West, 100 feet;

Thence North 60° 37' East, 40 feet to the Southwesterly line of that certain parcel of land conveyed to Paul Gallion here-in-above referred to;

Thence South 27° 25' 30" East along the Southwesterly line of said parcel, 100 feet to the point beginning, as per map in Book 7 page 66 of Maps, records of Riverside County in the office of the County Recorder of said County.

THAT as such owner of said land, affiant, about the 8th day of January, 1947, entered into a contract with James W. Gregory as-~~per-Permit-(if-any)-Per~~ dated January 8, 1947, for the erection and construction or work of improvement upon the land above described, of a certain building or work of improvement, to-wit: A dwelling house

THAT said building or work of improvement has been duly constructed ~~improved-~~ ~~entered~~ and the same actually completed on the 24th day of July, 1947, by James W. Gregory,

The record owner in fee simple ~~under-contract~~ of the lot at the time the construction or work of improvement was commenced and accepted by the undersigned on the same day was George E. Stearns and Laura V. Stearns, his wife.

THIS notice is given in pursuance of the provisions of Section 1187 of the Code of Civil Procedure of this State.

George E. Stearns  
Laura V. Stearns

STATE OF CALIFORNIA, )  
County of Riverside ) ss.

On this 30th day of July in the year one thousand nine hundred and forty-seven, before me, J. W. Wells, a Notary Public, in and for said County of Riverside, State of California, residing therein, duly commissioned and sworn, personally appeared George E. Stearns and Laura V. Stearns, personally known to me to be the persons described in and whose names are subscribed to and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN WITNESS WHEREOF, I have hereunto set my hand and Official seal at my office in Arlington, in the said County the day and year in this certificate first above written.

J. W. Wells,  
Notary Public in and for Riverside  
County, State of California.

(NOTARIAL SEAL)

STATE OF CALIFORNIA, )  
County of Riverside ) ss.

George E. Stearns and Laura V. Stearns, being duly sworn, say: That they are the owners of the land described in the foregoing notice; that they have read the same, and know the contents thereof, and the facts stated therein are true.

George E. Stearns  
Laura V. Stearns

EASEMENT

For and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to the undersigned in hand paid, the receipt whereof is hereby acknowledged, the FERRIS DEVELOPMENT CORPORATION, does hereby grant to EASTERN MUNICIPAL WATER DISTRICT, a district duly organized under the Municipal Water District Law of 1911, (Division 29 of the Water Code of the State of California), its successors and assigns, an easement to lay, construct, operate, maintain, repair, renew, change the size of and remove a pipeline, with metering, regulation and other equipment for the transportation of water over and through, under, along and across those certain parcels of land situated in the County of Riverside, State of California, described as follows, to wit:

Parcel 1

A strip of land 20.00 feet in width, measured at right angles, lying under and across portions of Lots 976 to 980, inclusive, and the north half of Lot C (Rouse Road) as said Lots are shown on the map of Romola Farms No. 10 on file in Book 15, pages 29 to 31, inclusive, of Maps, Records of Riverside County, California, said strip of land lying 10.00 feet, measured at right angles, on each side of the following described line:

Beginning at the intersection of the center line of Menifee Road with the center line of Rouse Road as said Roads are shown on said map of Romola Farms No. 10;

Thence westerly along said center line of Rouse Road a distance of 40.00 feet, more or less, to a point of intersection with a line lying parallel with and 40.00 feet westerly of, measured at right angles to said center line of Menifee Road as shown on said map of Romola Farms No. 10, said point of intersection being the true point of beginning for this parcel description;

Thence northerly along said line lying parallel with and 40.00 feet westerly of, measured at right angles to said center line of Menifee Road, to an intersection with the southwesterly boundary line of Lot A (Russell Road) as said Lot A is shown on said map of Romola Farms No. 10, the east and west boundary lines of said strip of land to be prolonged or shortened as required to terminate on said southwesterly boundary line of Lot A (Russell Road).

JAN 29 1964

11707

Parcel 2

A strip of land 20.00 feet in width, measured at right angles, more particularly described as follows:

That particular portion of Lot A (Russell Road) which lies between the center line of Manifee Road (Lot J) and the center line of McLaughlin Road (Lot A) all as shown on the map of Romola Farms No. 10 on file in Book 15, pages 29 to 31, inclusive, of Maps, Records of Riverside County, California, the southwesterly boundary line of Lot A (Russell Road) to be prolonged as required to terminate on said center lines of Manifee Road and McLaughlin Road.

EXCEPTING from the above described Parcel 2 any portion thereof lying within said Manifee Road, 60.00 feet in width, as said Manifee Road presently exists.

Parcel 3

A strip of land 20.00 feet in width, measured at right angles, lying under and across a portion of the southeast quarter of the northeast quarter of Section 14, Township 5 South, Range 3 West, S.B.E. & M., said strip of land lying southwesterly of and immediately adjacent to the southwesterly boundary line of the Santa Fe Railroad Right of Way, 100.00 feet in width, between the center lines of McLaughlin Road and Palomar Road as said Railroad Right of Way and Roads are shown on the map of Romola Farms No. 11 on file in Book 15, page 32 of Maps, Records of Riverside County, California.

Grantors hereby also grant the use of so much land as is necessary in the laying down of said pipeline, the said grantors fully to use and enjoy said premises except as to the rights hereby granted and except that the erection of any buildings or other permanent structures by the grantors over the above described easement is hereby prohibited. Grantee agrees that all pipe shall be installed with a minimum cover of 30 inches.

Grantee agrees that if the pipeline to be constructed within the above described easement is permanently removed or abandoned it will, without charge, relinquish the above described easement to the owner or owners of record.

Grantee further agrees to restore to its original condition, insofar as is practicable, the surface of said land whenever said surface has been disturbed in the course of the construction, maintenance or repair of said pipeline.



RECORDING REQUESTED BY

AND WHEN RECEIVED MAIL TO

110759

RECEIVED FOR RECORD  
SEP 28 1965

AT 9:00 O'CLOCK A.M.  
AT REQUEST OF  
TITLE INS. & TRUST CO.  
Recorded in Official Records  
of Riverside County, California

*W. W. Davis*

FEES \$            Recorder

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Mail Tax Statements to:  
E. O. M. Investment Corp.  
13721 Ventura Boulevard  
Van Nuys City, California

AFFIX HERE

IN THIS SPACE

### Corporation Grant Deed

THIS FORM FURNISHED BY TITLE INSURANCE AND TRUST COMPANY

FOR AVAILABLE CONSIDERATION, receipt of which is hereby acknowledged,

Corporation organized under the laws of the state of \_\_\_\_\_  
hereby GRANTS to

the following described real property in the  
County of \_\_\_\_\_, State of California:

(For legal description attached hereto and a part hereof)

110759

All that certain real property situated in the county of Riverside, state of California, lying within Section 14, T5S, R3W, SBB&M, being also a portion of Romola Farms No. 10, as shown on the Map entitled "Romola Farms No. 10" which map was recorded January 7, 1927, in book 15 of Maps, at pages 29, 30 and 31, Riverside County Recorders, more particularly described as follows:

Parcel 1

That portion of the Southwest quarter of the Northeast quarter of Section 14, T5S, R3W, SBB&M, according to an Official Plat of said land filed in the District Land Office April 27, 1896, in the county of Riverside, state of California, described as follows:

Beginning at the intersection of the Northerly line of McLaughlin Road, 60 feet in width, with the Easterly line of Palomar Road, 40 feet wide, then North  $0^{\circ} 10' 38''$  West, on the Easterly line of Palomar Road to the intersection with the Southwesterly right-of-way line of AT&SF Railroad; thence South  $53^{\circ} 35' 14''$  East, on said Southwesterly right-of-way line to a point on the Northerly line of said McLaughlin Road; thence South  $89^{\circ} 55' 40''$  West on said Northerly line to the point of beginning. EXCEPT that portion in Lot "A", Russell Road.

Parcel 2

Beginning at the Northwest corner of Lot 925, as shown on the above described map of Romola Farms No. 10, thence North  $89^{\circ} 55' 40''$  East, 1031.11 feet along the Northerly line of Lots 925 and 950 to a point on the Southwesterly line of Russell Road, thence Southerly along the Southwesterly line of said Russell Road, South  $53^{\circ} 35' 14''$  East, 353.10 feet to a point on the Westerly line of Junipero Road, thence South  $0^{\circ} 31' 38''$  West, along the Westerly line of said Junipero Road, 261.62 feet; thence North  $53^{\circ} 35' 14''$  West, 1612.62 feet to a point on the Easterly line of Palomar Road, thence North  $0^{\circ} 10' 38''$  West along the Easterly line of said road, 862.61 feet to the point of beginning.

Parcel 3

Beginning at the Northwest corner of Lot 954 as shown on the above described map of Romola Farms No. 10; thence South  $53^{\circ} 35' 14''$  East, along the Southwesterly line of Russell Road, 1567.98 feet to a point on the Westerly line of Meniffee Road; thence South  $0^{\circ} 31' 24''$  West, along the Westerly line of Meniffee Road, 1406.84 feet to a point on the Northerly line of Rouse Road; thence North  $89^{\circ} 51' 11''$  West, along the Northerly line of said road, 306.36 feet; thence North  $53^{\circ} 35' 14''$  West, 1221.69 feet to a point on the Easterly line of Junipero Road; thence North  $0^{\circ} 31' 38''$  East, along the Easterly line of said road, 1611.62 feet to the point of beginning.

Parcel 4

That portion of Lot A (Russell Road) as shown by map of Romola Farms No. 10, on file in Book 15, pages 29, 30 and 31 of Maps, records of Riverside County, California, which lies Southerly of the Southerly line of Lot A (McLaughlin Road) prolonged Easterly across Russell Road and Westerly of the Northerly prolongation of the Westerly line of Lot J (Meniffee Road) as shown on said map, said road having been vacated February 5, 1962, by Resolution of the Board of Supervisors of Riverside County, a certified copy of said Resolution having been recorded February 6, 1962 in Book 3073, page 21, Official Records.

Parcel 5

Lot G, as shown by map of Romola Farms No. 10, on file in Book 15, pages 29, 30 and 31 of Maps, records of Riverside County, California.  
EXCEPT that portion of Lot "G" described as beginning at the Southeast corner of Lot "G", thence North 722.75 feet to the point on the Easterly line of said lot; thence North  $53^{\circ} 35' 14''$  West, to a point on the Westerly line of said Lot "G"; thence South along the Westerly line to the Southwest corner of said Lot; thence Easterly to the point of beginning.

Receiving therefrom unto the Grantor, its successors and assigns an easement for road purposes 40 feet in width adjacent to the Southerly boundary of the A T & S F R.R. right of way in the East half of the East half of the East half of Section 14, T5S, R3W, SBB&M.

110759

FREE OF ENCUMBRANCES, EXCEPT:

- All General and Special Taxes for the fiscal year 1965-66, a lien not yet payable;
- Conditions, restrictions, reservations, covenants, easements, rights and rights of way, of record, if any.

I, Witness Whereof, said corporation has caused its corporate name and seal to be affixed hereto and this instrument to be executed by its ~~XXXXXXXXXX~~ Assistant Secretary ~~XXXXXXXXXX~~ duly authorized.

~~XXXXXXXXXX~~ ARIZONA  
 COUNTY OF MARICOPA  
 on September 14, 1965

By ~~XXXXXXXXXX~~  
 Assistant Secretary

~~XXXXXXXXXX~~  
 D. R. Middleton known to me to be Assistant Secretary of the Corporation that executed the foregoing instrument to be the person who executed the same on behalf of the Corporation herein named, and the said Corporation executed the within instrument in conformity with a resolution of its board of directors.

*D. R. Middleton*  
 My Commission Expires April 12, 1969  
 Name (Typed or Printed)



Title Order No. \_\_\_\_\_ Escrow or Loan No. \_\_\_\_\_  
 Real Tax Statements as stated above

End Recorded Document - W. D. Balash, County Recorder

54926

When recorded mail to:

Virginia A. Johnson  
BEST, BEST & KRIEGER  
P. O. Box 1028  
Riverside, CA 92502

RECEIVED FOR RECORD  
30 Min. Paid to Clerk

MAR 10 1986

Recorded in Official Records  
of Riverside County, California

*William E. Smith*  
RECORDER  
Page 5

KNOW ALL MEN BY THESE PRESENTS:

THAT Kurt Kragetsky  
c/o Dr. Jur. Bernd Hennecke  
Frankfurter Strasse 122-130  
6050 Offenbach am Main  
West Germany

hereby irrevocably dedicates in perpetuity to the County of Riverside and public for use, with the right of ingress and egress to and from the same, for road and drainage purposes, including public utility and public service uses with the understanding that the offer of dedication of the road <sup>is</sup> accepted by the County of Riverside as an easement for road purposes on behalf of the public but that said road shall not become part of the County-maintained road system until accepted by resolution of the County Board of Supervisors pursuant to Section 941 of the Streets and Highways Code, the real property in the County of Riverside, State of California, described as follows:

Being a portion of lots 953, 954, 955, 956 and 957 of Romola Farms No. 10, as recorded in map book 15, page 29 through 31 in the County recorders, office of the Riverside County, State of California, more particularly described as follows:

Beginning at the most northerly corner of lot 953 of said Romola Farms No. 10: thence S 53°34'57" E 24.69 feet; thence S 60°31'32" W 1647.39 feet; thence N 53°17'08" W 24.78 feet; thence N 00°31'32" E 1647.23 feet to the point of beginning.

See attached exhibit "A"

54925

*Rec Rgt*  
When recorded mail to:  
Virginia A. Johnson, Esq.  
BEST, BEST & KRIEGER  
P. O. Box 1028  
Riverside, CA 92502

RECEIVED FOR RECORD  
Min. Post. 10 cts. 1/4

MAR 10 1986  
Recorded in Official Records  
of Riverside County, California  
*William E. Strong*  
RECORDER  
Fee \$ 1.00

KNOW ALL MEN BY THESE PRESENTS:

THAT Mr. Carl Hennecke  
c/o Dr. Jur. Bernd Hennecke  
Frankfurter Strasse 122-130  
6050 Offenbach am Main  
West Germany

54925

hereby irrevocably dedicates in perpetuity to the County of Riverside and the public with the right of ingress and egress to and from the same, for road and drainage purposes, including public utility and public service uses with the understanding that the offer of dedication of the road <sup>may</sup> be accepted by the County of Riverside as an easement for road purposes on behalf of the public but that said road shall not become a part of the County-maintained road system until accepted by resolution of the County Board of Supervisors pursuant to Section 941 of the Streets and Highways Code, the real property in the County of Riverside, State of California, described as follows:

Being a portion of lot 957 of Romola Farms No. 10, as recorded in map book 15, pages 29 through 31 in the County Recorders office of Riverside County, California, more particularly described as follows:

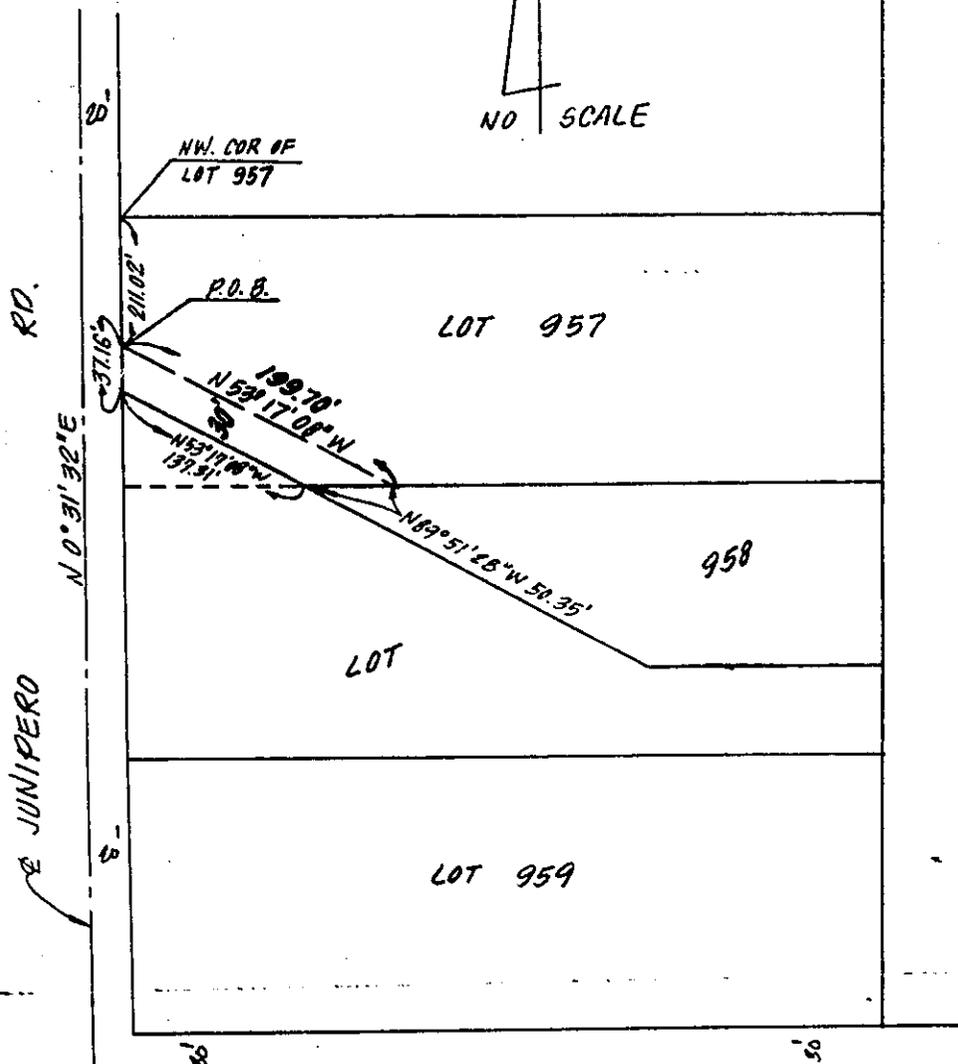
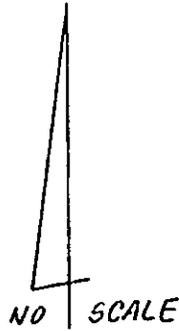
Being at a point on the East right-of-way line of Junipero Road, said beginning point being 211.02 feet S 0° 31' 32" W of the North-west corner of lot 957 of said Romola Farms No. 10; thence S 53° 17' 08" E 199.70 feet; thence N 89° 51' 28" W 50.35 feet; thence N 53° 17' 08" W 137.31 feet to a point on the East right-of-way line of Junipero Road; thence N 0° 31' 32" E 37.16 feet to the point of beginning.

See attached Exhibit "A"



" EXHIBIT " "A"

54925



RD.

JUNIPERO

N 0° 31' 32" E

NW. COR. OF LOT 957

P.O.B.

LOT 957

958

LOT

LOT 959

RD. ROUSE

RD.

54925

20'

50'

RECORDING REQUESTED BY  
RIVERSIDE COUNTY

WHEN RECORDED, RETURN TO:

RIVERSIDE COUNTY PLANNING DEPARTMENT

WILL CALL

No Fee, 6103 Government Code  
Benefit of Riverside County  
Planning Department

RECEIVED FOR RECORD  
30 Min. Pas. 2:00 clock

MAY 19 1986

Recorded in Official Records  
of Riverside County, California

*William E. Smith*  
RECORDER

CERTIFICATE OF COMPLIANCE NO. 2201

(Section 19.2, Ordinance No. 460)

I certify that I have reviewed the following described real property and have determined that its division on January 4, 1971 complies with the provisions of the Subdivision Map Act and Riverside County land division ordinances that were applicable at that time and the property is approved for sale, lease or financing.

The real property is located in the County of Riverside, State of California, described as follows:

SEE ATTACHED EXHIBIT "A"

Owner(s) of Record: Kurt Kragefsky

Executed on May 15, 1986, at Riverside, California

*John Bischoff*  
John Bischoff, Supervising Planner  
Planning Department  
County of Riverside

PD 83-35

EXHIBIT "A"

LEGAL DESCRIPTION

A portion of Lot 958

Being on the Northeast corner of said Lot 958 as shown on said map

thence; Southerly along the Easterly line of said Lot 958 South  $0^{\circ}31'24''$  West 270.00 feet.

thence; North  $89^{\circ}51'25''$  West 163.73 feet.

thence; North  $53^{\circ}17'08''$  West 453.13 feet to the Northerly line of said Lot 958.

thence; Easterly along the said Northerly line South  $89^{\circ}51'28''$  East 529.44' to the point of beginning.

115651

RECORDING REQUESTED BY  
RIVERSIDE COUNTY

WHEN RECORDED, RETURN TO:

RIVERSIDE COUNTY PLANNING DEPARTMENT

WILL CALL

No Fee, 6103 Government Code  
Benefit of Riverside County  
Planning Department

RECEIVED FOR RECORDING  
Mfr. Pas: [Signature]

OCT 10 1986

Recorded in Office of the Recorder  
of Riverside County, California

[Signature]  
RECORDER  
1,000 S.

CERTIFICATE OF COMPLIANCE NO. 2240

(Section 19.2, Ordinance No. 460)

I certify that I have reviewed the following described real property and have determined that its division on December 19, 1966 complies with the provisions of the Subdivision Map Act and Riverside County land division ordinances that were applicable at that time and the property is approved for sale, lease or financing.

The real property is located in the County of Riverside, State of California, described as follows:

SEE ATTACHED EXHIBIT "A"

Owner(s) of Record:

Executed on \_\_\_\_\_, 19\_\_\_\_, at Riverside, California

[Signature]  
John Bischoff - Supervising Planner  
Planning Department  
County of Riverside

PD 83-35

RECORDING REQUESTED BY  
RIVERSIDE COUNTY

WHEN RECORDED, RETURN TO:  
RIVERSIDE COUNTY PLANNING DEPARTMENT  
WILL CALL

No Fee, 6103 Government Code  
Benefit of Riverside County  
Planning Department

CERTIFICATE OF COMPLIANCE NO. 2246

(Section 19.2, Ordinance No. 460)

I certify that I have reviewed the following described real property and have determined that its division on December 17, 1966 complies with the provisions of the Subdivision Map Act and Riverside County land division ordinances that were applicable at that time and the property is approved for sale, lease or financing.

The real property is located in the County of Riverside, State of California, described as follows:

SEE ATTACHED EXHIBIT "A"

Owner(s) of Record:

Executed on \_\_\_\_\_, 19\_\_\_\_\_, at Riverside, California

J. Bischoff  
Planning Department  
County of Riverside

LEGAL DESCRIPTION

A Portion of Lot 957

A portion of lot 957 of Romola Farms Number 10 as shown by map on file in Book 15 pages 29 through 31 inclusive of maps in the County of Riverside, State of California in section 14, T 5 S, R 3 W, S.B.B.M. Being on the Northeast corner of Lot 957 as shown on said map.

thence; Southerly along the Easterly line of said Lot 957 South of 31'29" West, 330.01 feet to the Southeast corner of Lot 957.

thence; Westerly along the Southerly line of said Lot 957 North 89° 51'28" West, 529.44 feet.

thence; North 53° 17'08" West 162.09 feet to the center line of Junipero road as shown on said map.

thence; Northerly along said centerline North 0° 31'32" East, 233.54 feet to the Northwest corner of said Lot 957.

thence; Easterly along the Northerly line of said Lot 957, South 89° 51'30" East 660.24 feet to the point of beginning.

RECORDED  
MAY 1986

RIVERSIDE COUNTY  
PLANNING DEPARTMENT

253275

53578-13/  
374032

RECORDING REQUESTED BY  
MONO POWER COMPANY

WHEN RECORDED MAIL TO  
MONO POWER COMPANY  
P. O. BOX 351  
LOS ANGELES, CALIFORNIA 90053

ATTN: R/W & LAND DEPT.

84903

PAID  
Doc. Transfer Tax  
\$107.25  
JUL 30 1971  
RECORDED

RECEIVED FOR RECORD  
JUL 30 1971  
AT 9:00 O'CLOCK A.M.  
At Request of  
SECURITY TITLE INSURANCE CO.  
Recorded in Official Records  
of Riverside County, California

W.H. Raleigh  
Reporter  
FEES \$22.60

600

SPACE ABOVE THIS LINE FOR RECORDER'S USE

DOCUMENTARY TRANSFER TAX \$ 107.25  
COMPUTED ON FULL VALUE OF PROPERTY CONVEYED.  
OR COMPUTED ON FULL VALUE LESS LIENS AND  
ENCUMBRANCES REMAINING AT TIME OF SALE  
MONO POWER CO.  
SIGNATURE OF DECLARANT OR AGENT DETERMINING TAX. FIRM NAME

LOCATION: UNINCORPORATED AREA

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, HELEN HALL STEPHENS and CHARLES A. KAUFMAN, Trustees under the Louis E. Stephens 1966 Trust, hereby GRANT to MONO POWER COMPANY, a California corporation, that certain real property in the County of Riverside, State of California, described as follows:

Those portions of Lots 931, 932, 943, 944, 958, 959, 976, and G (Junipero Road) of Romola Farms No. 10, as shown on map on file in Book 15, pages 29, 30 and 31 of Maps, in the office of the County Recorder of said County, together with that portion of Lot F (Palomar Road) as shown on said map, which would pass with a conveyance of said Lots 931 and 932, lying Southerly of a line parallel with and 390 feet Northerly, measured at right angles, from the Southerly line of Section 14, Township 5 South, Range 3 West, San Bernardino Base and Meridian.

EXCEPTING THEREFROM that portion thereof lying North-easterly of the following described line.

Beginning at a point in the Southerly line of said Lot 976, said point being North 89° 51' 11" West, 306.36 feet, measured along said last mentioned Southerly line from the Southeast corner of said Lot 976; thence North 53° 35' 14" West, 1221.69 feet to a point on the Easterly line of said Junipero Road, (Lot G), said last mentioned point being South 00° 31' 31" West, 1611.29 feet, measured along said Easterly line from the North-west corner of Lot 953, as shown on said map of Romola Farms No. 10.

ALSO EXCEPTING AND RESERVING unto the Grantors herein, their heirs and assigns, an easement and right of way to construct, use, maintain and repair one road, extending in a generally Northerly and Southerly direction in, on, over

SER. 4555A  
J.O. 1912  
FUNC. 2447

MONO POWER COMPANY  
P.O. BOX 351  
LOS ANGELES, CALIF. 90053

MAIL TAX STATEMENTS TO:  
Mono Power Company  
P. O. Box 351  
Los Angeles, California 90053  
Attention: Tax Department

84903

Helen Hall Stephens and Charles A. Kaufman, Trustees  
under the Louis E. Stephens 1966 Trust, to  
Mono Power Company, a Calif. corp.  
Serial No. 43515A

and across the land hereinbefore described, subject to  
the following conditions:

1. The location of said road to be mutually agreed  
upon by and between the Grantors, their heirs and assigns,  
and the Grantee, its successors and assigns, but at such  
location which will not interfere with or endanger any  
of the structures or facilities of the Grantee, its  
successors or assigns, which may be existing or proposed  
on the land hereinbefore described.

2. All equipment used in connection with the con-  
struction and maintenance of said road shall at all  
times maintain a vertical clearance of at least 25 feet  
from all wires and conductors of Grantee, its successors  
and assigns.

SUBJECT TO the real property taxes for the fiscal year 1970-1971  
second installment and to covenants, conditions, restrictions,  
reservations, exceptions, rights and easements of record.

Dated April 19, 1971

Helen Hall Stephens, Trustee  
Helen Hall Stephens, trustee

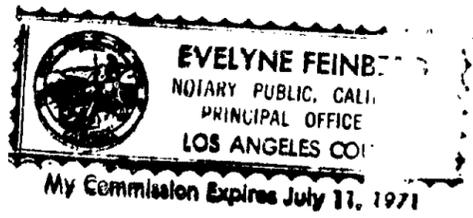
Charles A. Kaufman, Trustee  
Charles A. Kaufman, trustee

STATE OF California )  
COUNTY OF Los Angeles ) ss.

On this 12 day of April, 1971,  
before me, Evelyn Feinberg, a Notary  
Public in and for said State, personally appeared Helen Hall Stephens  
and Charles A. Kaufman, Trustees under the Louis E. Stephens 1966  
Trust, known to me to be the persons whose names are subscribed to  
the within instrument and acknowledged to me that they executed the  
same as Trustees.

WITNESS my hand and official seal.

Evelyn Feinberg



# Certificate of Acknowledgment of Execution of an Instrument

84903

UNITED MEXICAN STATES

(Country)

FEDERAL DISTRICT

(County and/or other political division)

CITY OF MEXICO

(County and/or other political division)

CONSUL OF THE UNITED STATES OF

(Name of foreign service office) AMERICA

SS:

I, Nancy E. Pearl, Consul

of the United States of America at Mexico, D. F., Mexico

do hereby certify that on this 19th

of April, 1971, before me personally appeared

(Date)

\*\*\* HELEN HALL STEPHENS \*\*\*

who is personally known, and known to me to be the individual... described in, whose

name is subscribed to, and who executed the annexed instrument, and being

informed by me of the contents of said instrument... she... duly acknowledged to me

that she executed the same freely and voluntarily for the uses and purposes

herein mentioned.

In witness whereof I have hereunto set my hand and  
official seal the day and year last above written.

  
Nancy E. Pearl

Consul of the United States of America.

Receipt No. A-5250969

Trust Fund No.

Fee Paid: U. S. \$46

Note: Wherever practicable all signatures to a document should be included in one certificate.

RECORDER'S MEMO: Legibility of writing.  
Typing or Printing UNSATISFACTORY  
in this document when received For Record.

END RECORDED DOCUMENT, W. D. BALOGH, COUNTY RECORDER

OLD REVENUE TITLE CO.

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO:  
Lori Bodon  
C/O Ralphs Sewing & Vacuum  
73941 Highway III  
Palm Desert, CA 92260

DOC # 2000-310505

08/10/2000 08:00A Fee:9.00

Page 1 of 2 Doc T Tax Paid

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder



| M | S | U | PAGE | SIZE | DA | PCOR | NOCOR | SMF    | MISC      |
|---|---|---|------|------|----|------|-------|--------|-----------|
|   |   |   | 2    |      |    |      |       |        |           |
| A | R | L |      |      |    | COPY | LONG  | REFUND | NCHG EXAM |

9-

A.P.N.: 637-433-004-6 TRA #: 01824

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS: COUNTY \$121.00

- computed on full value of property conveyed, or
- computed on full value less value of liens or encumbrances remaining at time of sale,
- unincorporated area:  City of Palm Desert, and

FOR A VALUABLE CONSIDERATION, Receipt of which is hereby acknowledged,  
Edward C. Phelps and Diana I. Phelps, Husband and Wife as Joint Tenants

T  
IV

hereby GRANT(S) to Lori Bodon, a Widow

the following described property in the City of Palm Desert, County of Riverside State of California;

Lot 126 of Tract 3860, in the City of Palm Desert, County of Riverside, as per map recorded in Book 60, Page(s) 55, 56 & 57, of Maps in the Office of the County Recorder of said County.

*X Edward C. Phelps*  
*Edward C. Phelps*  
Edward C. Phelps

*X Diana I. Phelps*  
*Diana I. Phelps*  
Diana I. Phelps

Document Date: July 12, 2000

STATE OF CALIFORNIA  
COUNTY OF Riverside

SS

On July 18, 2000

before me

Sandie L. Williams Notary Public

personally appeared Edward C. Phelps + Diana I. Phelps

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) were subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature: Sandie L. Williams

This area for official notarial seal.



Order No. : 505722-1

## EXHIBIT "A"

The land referred to is situated in the State of California, County of Riverside, City of Palm Desert, and is described as follows:

Lot 126 of Tract No. 3860, in the City of Palm Desert, County of Riverside, State of California, as per map recorded in Book 60, Page(s) 55, 56 and 57, inclusive, of Maps, in the Office of the County Recorder of said County.

Except 1/16th of all coal, oil, gas and other mineral deposits contained in said land, as reserved to the State of California, in patent recorded April 17, 1929 in Book 9, Pages 378 of Patents, records of Riverside County, California.



2000-310505  
OR IN 2000 OR 004  
2 of 2

RECORDING REQUESTED BY  
First American Title Company

AND WHEN RECORDED MAIL TO:  
Tuffli Company Inc.  
2780 SKYPARK DRIVE STE 460  
TORRENCE, CA 90505



| M | S | U | PAGE | SIZE | DA   | FLOOR | NOOR   | SMP  | MISC |
|---|---|---|------|------|------|-------|--------|------|------|
|   | 1 |   | 4    |      |      |       | 1      |      |      |
| A | R | L |      |      | COPY | LONG  | REFUND | NCHG | EXAM |

Space Above This Line for Recorder's Use Only

93755555

TUA054

GRANT DEED

36  
T  
MH

A.P.N.: 331-250-014

T.R.A. No. 089-038

File No.: DCB-937555 (DD)

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$ 935<sup>00</sup>; CITY TRANSFER TAX \$0.00;

- [ X ] computed on the consideration or full value of property conveyed, OR
- [ ] computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
- [ X ] unincorporated area; [ ] ~~City of Sun City~~, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

**Eugene Gabrych and Marian Gabrych, husband and wife as joint tenants**

hereby GRANTS to

**Tuffli Company Inc., a California Corporation**

the following described property in the unincorporated ~~of Sun City~~, County of Riverside, State of California;

See Exhibit "A" attached hereto and made a part hereof

Dated: 05/29/2003

Eugene Gabrych  
Eugene Gabrych

Marian Gabrych  
Marian Gabrych

STATE OF CA }  
COUNTY OF Riverside } ss.  
}

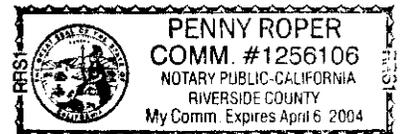
On June 20, 2003, before me, Penny Roper personally appeared Eugene gabrych and Marian gabrych, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

*This area for official notarial seal*

Signature Penny Roper

My Commission Expires: 4/6/04



**Exhibit "A"**

PARCEL A:

ALL THAT PORTION OF LOTS 953 THROUGH 958 OF ROMOLA FARMS NO. 10 AS SHOWN BY MAP ON FILE IN BOOK 15 PAGES 29 THROUGH 31 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, INCLUDED WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

BEGINNING AT THE NORTHWEST CORNER OF LOT 953 OF ROMOLA FARMS NO. 10, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 15 PAGE(S) 29, 30 AND 31 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;  
THENCE SOUTH 53° 35' 14" EAST ALONG THE SOUTHWESTERLY LINE OF RUSSELL ROAD, 1,567.98 FEET TO A POINT ON THE WESTERLY LINE OF MENIFEE ROAD;  
THENCE SOUTH 0° 31' 24" WEST, ALONG THE WESTERLY LINE OF MENIFEE ROAD, 1,406.84 FEET TO A POINT ON THE NORTHERLY LINE OF ROUSE ROAD;  
THENCE NORTH 89° 51' 11" WEST, ALONG THE NORTHERLY LINE OF SAID ROAD, 306.36 FEET;  
THENCE NORTH 53° 35' 14" WEST, 1,221.69 FEET TO A POINT ON THE EASTERLY LINE OF JUNIPERO ROAD;  
THENCE NORTH 0° 31' 38" EAST, ALONG THE EASTERLY LINE OF SAID ROAD, 1,611.62 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION LYING EASTERLY OF THE EASTERLY LINES OF LOTS 954 THROUGH 959 INCLUSIVE OF SAID TRACT;

ALSO EXCEPT THAT PORTION LYING SOUTH OF A LINE PARALLEL WITH AND 360 FEET NORTHERLY, MEASURED AT RIGHT ANGLES FROM THE NORTHERLY LINE OF LOT C (ROUSE ROAD) AS SHOWN ON SAID MAP.

PARCEL B:

THE EAST HALF OF LOT G (JUNIPERO ROAD) OF ROMOLA FARMS NO. 10, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 15 PAGE(S) 29, 30 AND 31 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

EXCEPT THAT PORTION OF SAID LOT G DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT G;  
THENCE NORTH 722.75 FEET TO THE POINT ON THE EASTERLY LINE OF SAID LOT;  
THENCE NORTH 53° 35' 14" WEST, TO A POINT ON THE WESTERLY LINE OF SAID LOT G;  
THENCE SOUTH ALONG THE WESTERLY LINE TO THE SOUTHWEST CORNER OF SAID LOT;  
THENCE EASTERLY TO THE POINT OF BEGINNING.

PARCEL C:



2003-523261  
07/15/2003 08:00A  
3 of 4

THAT PORTION OF LOT A (RUSSELL ROAD) OF ROMOLA FARMS NO. 10, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 15 PAGE(S) 29, 30 AND 31 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, WHICH LIES SOUTHERLY OF THE SOUTHERLY LINE OF LOT A (MC LAUGHLIN ROAD) PROLONGED EASTERLY ACROSS RUSSELL ROAD AND WESTERLY OF THE NORTHERLY PROLONGATION OF THE WESTERLY LINE OF LOT J (MENIFEE ROAD), AS SAID ROADS ARE SHOWN ON SAID MAP, SAID ROAD HAVING BEEN VACATED FEBRUARY 5, 1962 BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY, A COPY OF SAID RESOLUTION HAVING BEEN RECORDED FEBRUARY 6, 1962 IN BOOK 2073 PAGE 21 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

EXCEPT THAT PORTION LYING WESTERLY OF THE NORTHERLY PROLONGATION OF THE CENTER LINE OF LOT G, AS SHOWN ON SAID MAP;

ALSO EXCEPT THAT PORTION LYING EASTERLY OF THE NORTHERLY PROLONGATION OF THE EASTERLY LINES OF LOTS 954 THROUGH 959 INCLUSIVE AS SHOWN ON SAID MAPS.

PARCEL D:

LOTS 980 AND 981 OF ROMOLA FARMS NO. 10, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 15 PAGE 29 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

TOGETHER WITH THAT PORTION OF LOT A (RUSSELL ROAD) ADJOINING SAID LAND, VACATED, FEBRUARY 5, 1962 BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY, A CERTIFIED COPY OF SAID RESOLUTION HAVING BEEN RECORDED FEBRUARY 6, 1962 AS INSTRUMENT NO. 11656 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, WHICH WOULD PASS BY NORMAL OPERATION OF LAW



2003-523261  
07/15/2003 08:00A  
4 of 4

2)

**STEWART TITLE - Riverside  
COMMERCIAL DIVISION**

TITLE ORDER NO: 5-11-17810

Recording requested by  
And when recorded mail to and mail  
tax statements to:

Tuffli Company Inc.,  
a California corporation  
2780 Skypark Dr. Suite 460  
Torrance, CA 90505-5350  
Attn: Don L. Tuffli

**DOC # 2004-0582362**

07/28/2004 08:00A Fee:26.00  
Page 1 of 4 Doc T Tax Paid  
Recorded in Official Records  
County of Riverside  
Gary L. Orso  
Assessor, County Clerk & Recorder



ESCROW NO: 04-300108  
AP NO: ~~04-300108~~ 038/331-250-008-0  
(Unincorporated area)

| M | S | U | PAGE | SIZE | DA   | PCOR | NOCOR  | SMF  | MISC. |
|---|---|---|------|------|------|------|--------|------|-------|
|   |   |   | 4    |      |      | ✓    |        | 1    |       |
| A | R | L |      |      | COPY | LONG | REFUND | NCHG | EXAM  |

zk

TRA 089-038

**GRANT DEED**



In accordance with Section 11932 of the California Revenue and Taxation Code, Grantor has declared the amount of transfer tax that is due by a separate statement that is not being recorded with this Grant Deed.

**FOR GOOD AND VALUABLE CONSIDERATION**, receipt of which is acknowledged, Anacapa Land Company, LLC, a Delaware limited liability company, hereby grants to Tuffli Company Inc., a California corporation, the real property in the County of Riverside, State of California, described in Exhibit A attached hereto and made a part hereof, subject to all matters of record.

This conveyance is made on an "AS IS, WHERE IS, WITH ALL FAULTS AND DEFECTS" basis, without any warranty or covenant expressed or implied as to the suitability of the real property conveyed herein for any purpose or as to any other matter.

IN WITNESS WHEREOF, Grantor has executed this Grant Deed as of July \_\_, 2004.

Anacapa Land Company, LLC,  
a Delaware limited liability company

By:   
Name: Richard L. Thomas  
Title: Vice President



PENALTY OF PERJURY FOR NOTARY SEAL  
GOVERNMENT CODE 27361.7

I certify under the penalty of perjury that the Notary Seal on the document  
to which this statement is attached reads as follows:

NAME OF NOTARY Marjorie E. Oxsen Commission #1297119

DATE COMMISSION EXPIRES March 14, 2005

PLACE OF EXECUTION County of Alameda, State of California

DATE: July 27, 2004

(Signature) SHARON MOEN



STEWART TITLE OF CALIFORNIA, INC., Inland Empire Division, a Ca. corp.  
(Firm name-if any)

## EXHIBIT "A"

## LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of Riverside, Unincorporated Area, described as follows:

THOSE PORTIONS OF LOTS 958, 959 AND 976 OF ROMOLA FARMS NO. 10, AS SHOWN BY MAP ON FILE IN BOOK 15 PAGE(S) 29 TO 31, INCLUSIVE, OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, TOGETHER WITH THAT PORTION OF LOT G (JUNIPERO ROAD) ADJOINING SAID LOTS 958 AND 959 ON THE WEST AND TOGETHER WITH THAT PORTION OF LOT C (RUSSELL, FORMERLY ROUSE ROAD) ADJOINING SAID LOTS 959 AND 976 ON THE SOUTH AS SAID ROADS WERE VACATED AND ABANDONED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, A CERTIFIED COPY OF WHICH RECORDED FEBRUARY 6, 1962 AS INSTRUMENT NO. 11656 OF OFFICIAL RECORDS, LYING SOUTHERLY OF A LINE PARALLEL WITH AND 390 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE SOUTHERLY LINE OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN;

EXCEPTING THEREFROM THAT PORTION THEREOF LYING NORTHEASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT IN THE SOUTHERLY LINE OF SAID LOT 976, SAID POINT BEING NORTH 89°51'11" WEST 306.36 FEET, MEASURED ALONG SAID LAST MENTIONED SOUTHERLY LINE FROM THE SOUTHEAST CORNER OF SAID LOT 976; THENCE NORTH 53°35'14" WEST, 1221.69 FEET TO A POINT ON THE EASTERLY LINE OF SAID JUNIPERO ROAD, (LOT G), SAID LAST MENTIONED POINT BEING SOUTH 00°31'31" WEST, 1611.29 FEET, MEASURED ALONG SAID EASTERLY LINE FROM THE NORTHWEST CORNER OF LOT 953, AS SHOWN ON SAID MAP OF ROMOLA FARMS NO. 10.

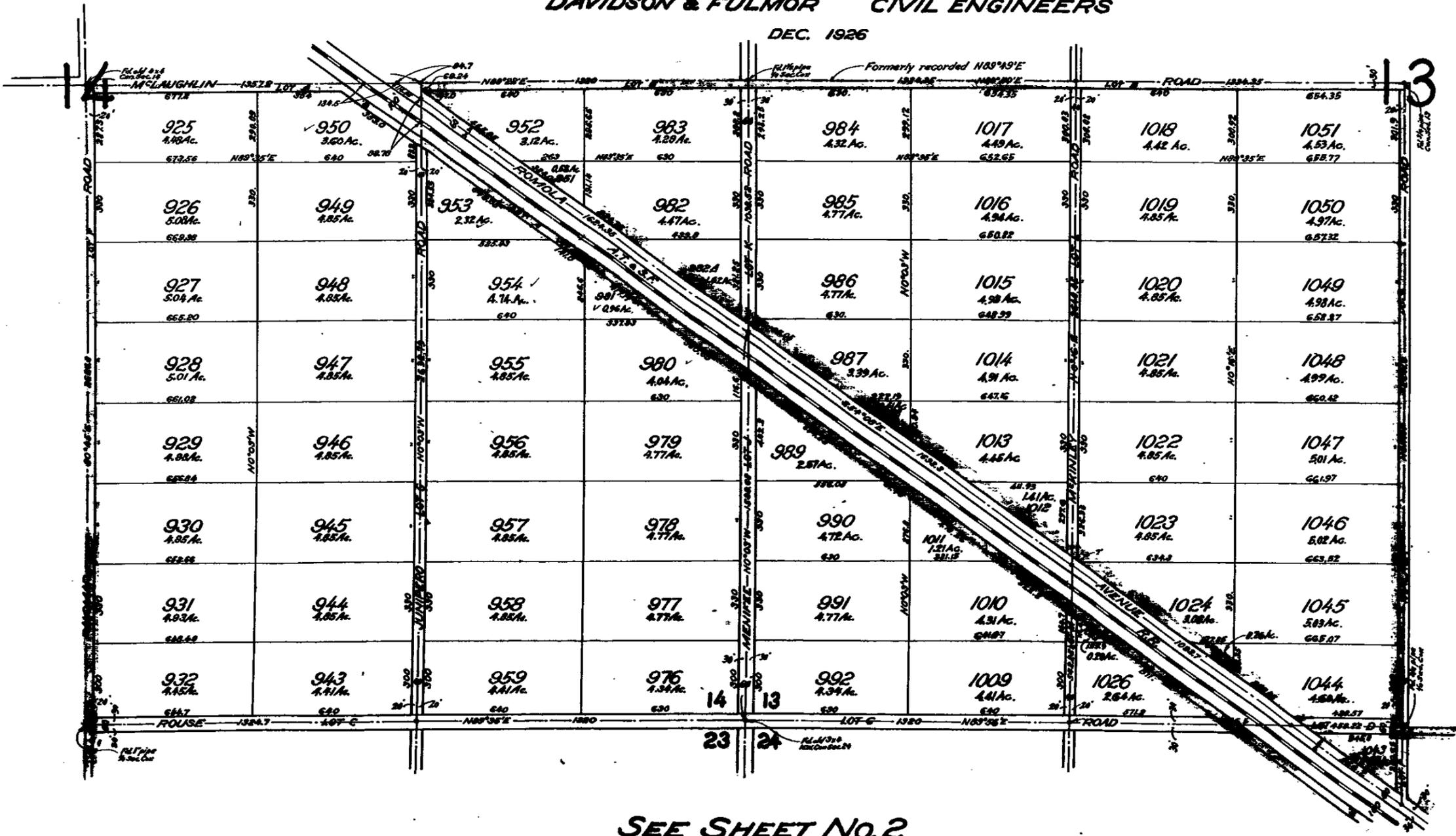
End of Legal Description

# ROMOLA FARMS No 10

Being a Subdivision of the S.W. 1/4 of Sec. 13; the S.E. 1/4 of Sec. 14; the E. 1/2 of the N.E. 1/4 and the N.W. 1/4 of the N.E. 1/4 and a portion of the S.W. 1/4 of the N.E. 1/4 of Sec. 23; the N.W. 1/4 and the W. 1/2 of the N.E. 1/4 and a portion of the E. 1/2 of the N.E. 1/4 of Sec. 24, T5S, R3W; and a portion of the N.W. 1/4 of Sec. 19, T5S, R2W, S.B.M.

DAVIDSON & FULMOR CIVIL ENGINEERS

DEC. 1926

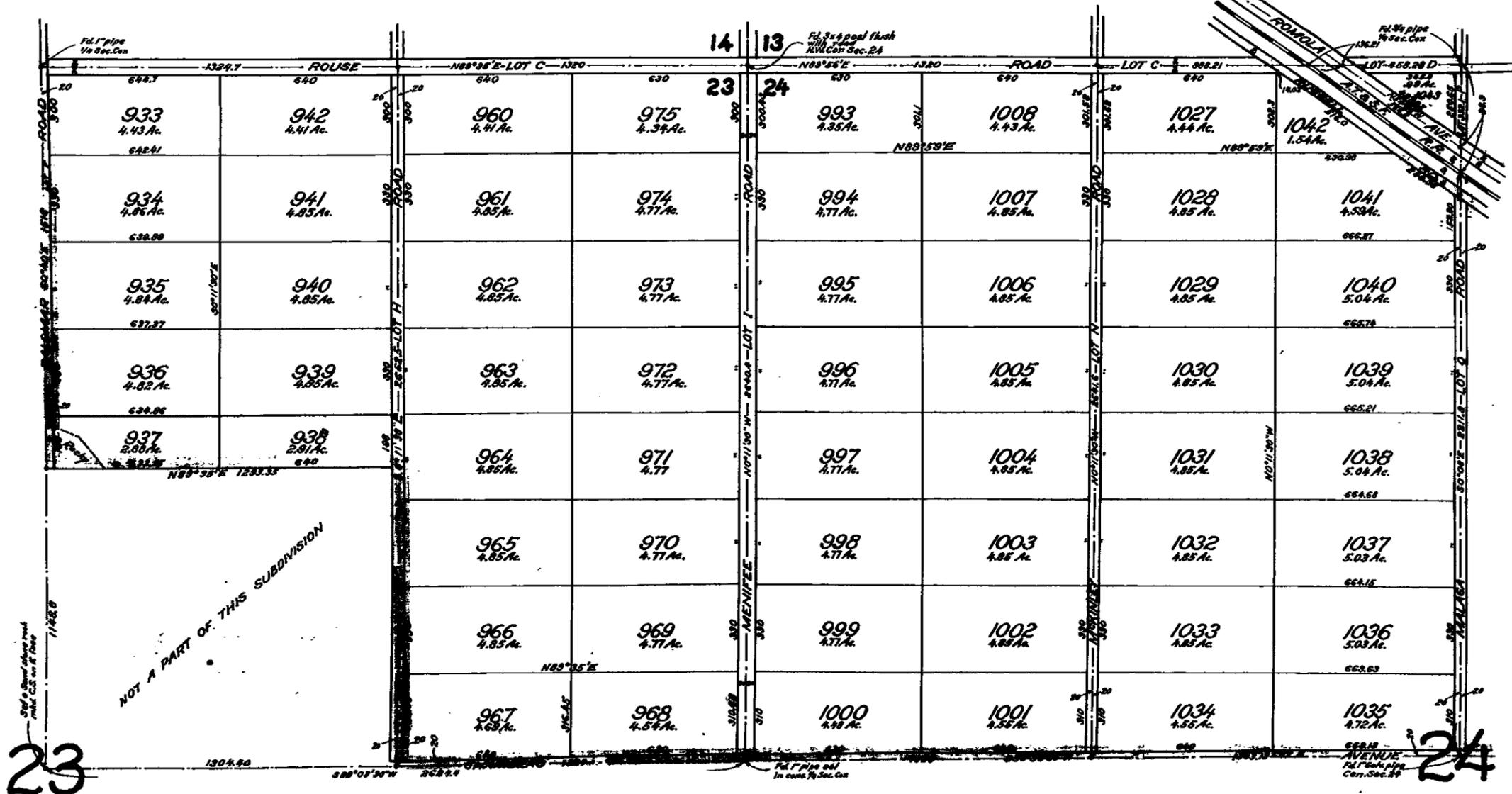


SEE SHEET No. 2



SEE SHEET No. 1  
**ROMOLA FARMS No 10**

**SHEET No 2**



Scale 1"=300'

SEE SHEET No. 3

NOT A PART OF THIS SUBDIVISION

**NOTE**  
 2x2 Redwood stakes, painted white, set at all lot corners.  
 3/4x30 Iron pipes set at all points shown thus except where otherwise designated.  
 Distances as shown are in feet and decimals thereof.  
 Acreage as shown is net.  
 Bearings are derived from a solar observation and are true bearings.

STATE OF CALIFORNIA  
 COUNTY OF \_\_\_\_\_  
 On this \_\_\_\_\_ day of \_\_\_\_\_ 1926 before me,  
 Notary Public in and for said County and State, personally appeared Elizabeth L. Osborn, known to me to be the person who executed the within instrument, and acknowledged to me that she executed the same freely and voluntarily.  
 \_\_\_\_\_  
 Notary Public in and for the  
 COUNTY OF \_\_\_\_\_ STATE OF CALIFORNIA.

# ROMOLA FARMS No 10

SHEET No 3

#458  
**FILED**  
 Jan 1 1927  
 SECURITY TITLE  
 INSURANCE AND GUARANTEE  
 COMPANY  
 J. A. K. R. M.  
 OF  
 7.00 P.M. RECORDER  
 Fee \$3.00

We hereby certify that we are the owners of or interested in the land included within the subdivision shown on the annexed map consisting of three (3) sheets; that we are the only persons whose consent is necessary to pass a clear title to said land; and that we consent to the making of said map and subdivision as shown within the colored border line.

**SECURITY TITLE INSURANCE AND GUARANTEE COMPANY**  
 J. E. Dimmore VICE PRESIDENT  
 Dorothy T. Ayler SECRETARY  
**FIRST NATIONAL BANK OF SANTA ANA**  
 Albert W. Hand PRESIDENT  
 W. B. Williams SECRETARY  
**ORANGE COUNTY TITLE COMPANY**  
 J. H. Keith VICE PRESIDENT  
 J. A. R. M. SECRETARY

RESOLVED: That the within map be and hereby is adopted as the OFFICIAL MAP of ROMOLA FARMS No. 10, that the streets as shown on said map are hereby not accepted as public streets, and that the County Clerk is hereby authorized and directed to attest said map by signing his name thereto as County Clerk for and in behalf of said County, and to affix the seal of said County thereto.

I hereby certify that the foregoing resolution was passed by the Board of Supervisors of the County of Riverside this 27<sup>th</sup> day of Dec. 1926.

D. L. Clayton COUNTY CLERK  
 J. F. Reimer DEPUTY

I hereby certify that I am a Licensed Land Surveyor of the State of California; that this map correctly represents a survey made under my supervision in December 1926; that all the monuments shown hereon actually exist; and that their positions are correctly shown.

J. F. Davidson LICENSED LAND SURVEYOR

I hereby certify that there are no liens for unpaid taxes against any portion of the land included within this subdivision.

Dec. 27, 1926  
 H. C. Rymer COUNTY AUDITOR  
 R. L. B. DEPUTY

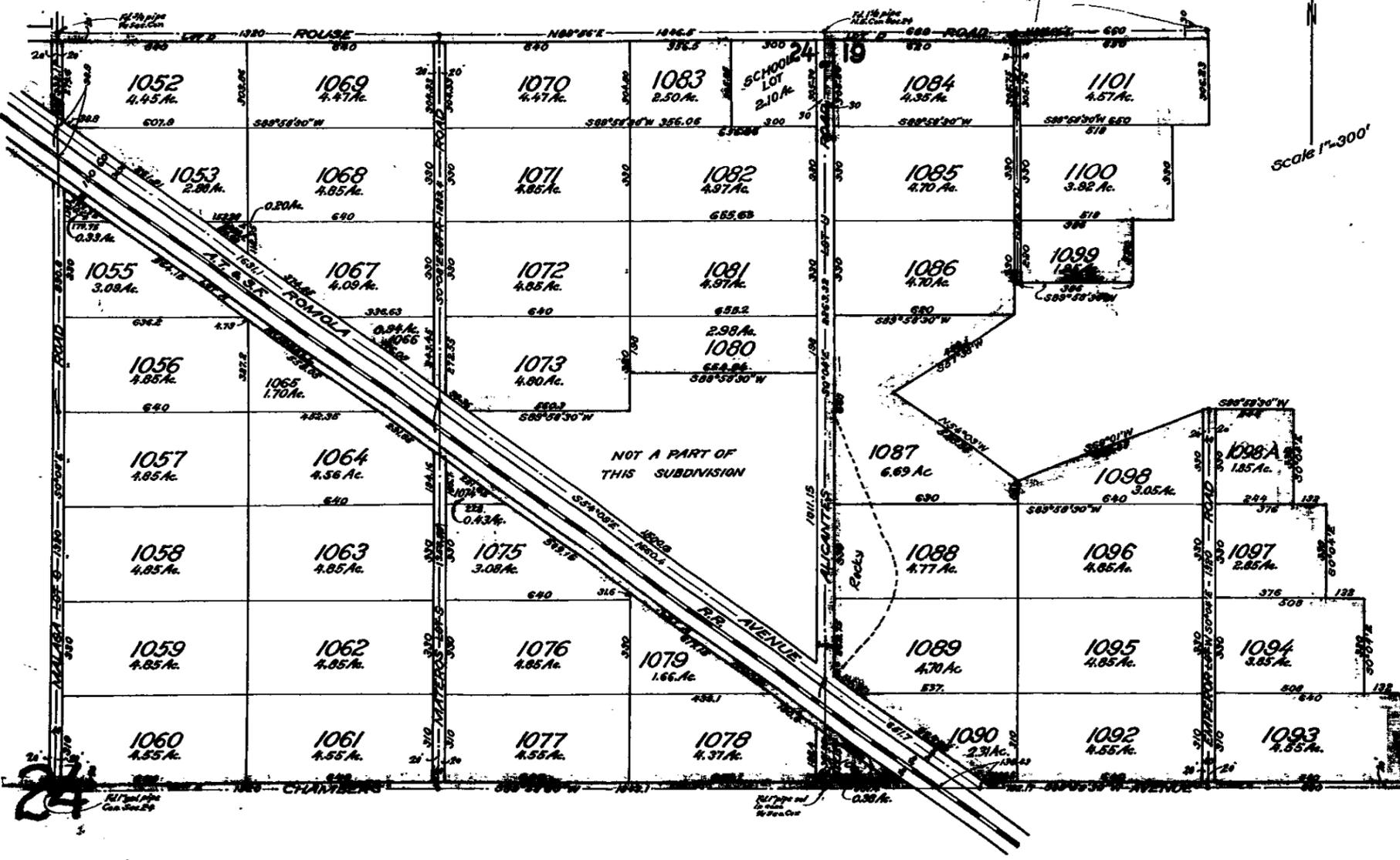
STATE OF CALIFORNIA  
 COUNTY OF Riverside )  
 On this 6<sup>th</sup> day of January, 1927, before me a Notary Public in and for said County and State personally appeared F. E. Dimmore known to me to be the Vice President, and Dorothy T. Ayler known to me to be the Secretary of the Security Title Insurance and Guarantee Company, who executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the corporation herein named, and acknowledged to me that such corporation executed the same.

Notary Public in and for the County of Riverside, State of California.

Approved this 27<sup>th</sup> day of December, 1926.  
 A. C. Johnson COUNTY SURVEYOR

Approved this 24<sup>th</sup> day of December, 1926.  
 J. H. Keith COUNTY ASSESSOR  
 E. C. Deaterling DEPUTY

SEE SHEET No. 2

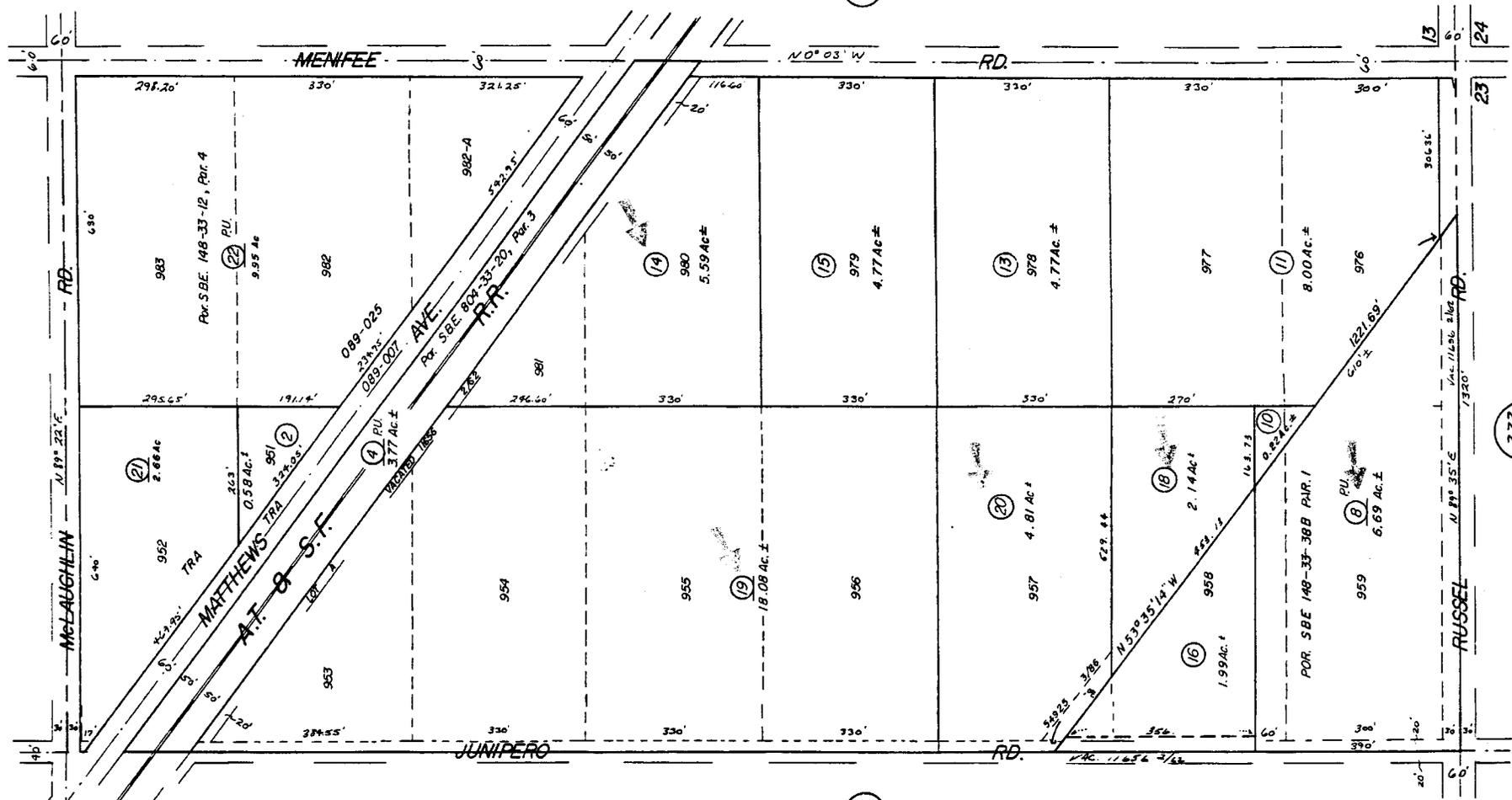
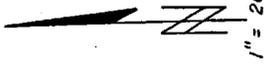


STATE OF CALIFORNIA )  
 COUNTY OF Orange )  
 On this 23<sup>rd</sup> day of December, 1926 before me a Notary Public in and for said County and State personally appeared J. A. R. M. known to me to be the President, and J. H. Keith known to me to be the Secretary of the First National Bank of Santa Ana, who executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the corporation herein named, and acknowledged to me that such corporation executed the same.

J. A. R. M. NOTARY PUBLIC IN AND FOR THE COUNTY OF Orange, STATE OF CALIFORNIA.

STATE OF CALIFORNIA )  
 COUNTY OF Orange )  
 On this 22<sup>nd</sup> day of December, 1926 before me a Notary Public in and for said County and State personally appeared A. C. Johnson known to me to be the President, and J. H. Keith known to me to be the Secretary of the Orange County Title Company, who executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the corporation herein named, and acknowledged to me that such corporation executed the same.

A. C. Johnson NOTARY PUBLIC IN AND FOR THE COUNTY OF Orange, STATE OF CALIFORNIA.



| DATE  | OLD NO | NEW NO |
|-------|--------|--------|
| 3/78  | 6      | 9-11   |
| 11/78 | 9      | 12, 13 |
| 3/79  | 903    | 3      |
|       | 904    | 4      |
|       | 908    | 8      |
| 4/80  | 12     | 14, 15 |
| 9/81  | 7      | 16, 17 |
| 6/85  | 5      | 17, 18 |
| 11/85 | 17     | 19, 20 |
| 11-89 | 1      | 21, 27 |
|       | 3      | 22, 27 |

M.B. 15/29-31 Ramola Farms No. 10

DATA: S.B.E. MAPS 148-33-12  
804-33-20

AUG 1971

ASSESSOR'S MAP BK. 331 PG. 25  
RIVERSIDE COUNTY, CALIF.

RECORDING REQUESTED BY  
First American Title Company

AND WHEN RECORDED MAIL TO:  
Tuffli Company Inc.  
2780 SKYPARK DRIVE STE 460  
TORRENCE, CA 90505



| M | S | U | FASE | SIZE | UM | PLUR | NUCUN | SMP | MISC |
|---|---|---|------|------|----|------|-------|-----|------|
|   |   |   | 4    |      |    |      | 1     |     |      |
| A | R | L |      |      |    |      |       |     |      |

Space Above This Line for Recorder's Use Only

93755585

TUA054

GRANT DEED

36 MH

A.P.N.: 331-250-014

T.R.A. No. 089-038

File No.: DCB-937555 (DD)

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$935<sup>00</sup>; CITY TRANSFER TAX \$0.00;

- computed on the consideration or full value of property conveyed, OR
- computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
- unincorporated area; [ ] -City of Sun City-and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Eugene Gabrych and Marian Gabrych, husband and wife as joint tenants

hereby GRANTS to

(V) Tuffli Company Inc., a California Corporation (V)

the following described property in the unincorporated ~~ESUN CITY~~ County of Riverside, State of California;

See Exhibit "A" attached hereto and made a part hereof

vesting parcels  
A, B, C & D

Same  
vesting  
for parcel E  
pg 74

Mail Tax Statements To: SAME AS ABOVE

Dated: 05/29/2003

Eugene Gabrych  
Eugene Gabrych

Marian Gabrych  
Marian Gabrych

STATE OF CA }  
COUNTY OF Riverside } ss.  
}

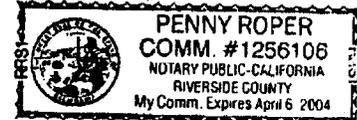
On June 20, 2003  
me, Penny Roper, before  
appeared Eugene gabrych and Marian gabrych personally  
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose  
name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies) and that his/her/their signature(s) on the instrument the person(s) or the  
entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

*This area for official  
notarial seal*

Signature  
Penny Roper

My Commission Expires: 4/6/04



2003-523261  
07/15/2003 08:00A  
2 of 4

52

Exhibit "A"

PARCEL A:

ALL THAT PORTION OF LOTS 953 THROUGH 958 OF ROMOLA FARMS NO. 10 AS SHOWN BY MAP ON FILE IN BOOK 15 PAGES 29 THROUGH 31 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, INCLUDED WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

BEGINNING AT THE NORTHWEST CORNER OF LOT 953 OF ROMOLA FARMS NO. 10, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 15 PAGE(S) 29, 30 AND 31 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;  
THENCE SOUTH 53° 35' 14" EAST ALONG THE SOUTHWESTERLY LINE OF RUSSELL ROAD, 1,567.98 FEET TO A POINT ON THE WESTERLY LINE OF MENIFEE ROAD;  
THENCE SOUTH 0° 31' 24" WEST, ALONG THE WESTERLY LINE OF MENIFEE ROAD, 1,406.84 FEET TO A POINT ON THE NORTHERLY LINE OF ROUSE ROAD;  
THENCE NORTH 89° 51' 11" WEST, ALONG THE NORTHERLY LINE OF SAID ROAD, 306.36 FEET;  
THENCE NORTH 53° 35' 14" WEST, 1,221.69 FEET TO A POINT ON THE EASTERLY LINE OF JUNIPERO ROAD;  
THENCE NORTH 0° 31' 38" EAST, ALONG THE EASTERLY LINE OF SAID ROAD, 1,611.62 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION LYING EASTERLY OF THE EASTERLY LINES OF LOTS 954 THROUGH 959 INCLUSIVE OF SAID TRACT;

ALSO EXCEPT THAT PORTION LYING SOUTH OF A LINE PARALLEL WITH AND 360 FEET NORTHERLY, MEASURED AT RIGHT ANGLES FROM THE NORTHERLY LINE OF LOT C (ROUSE ROAD) AS SHOWN ON SAID MAP.

PARCEL B:

THE EAST HALF OF LOT G (JUNIPERO ROAD) OF ROMOLA FARMS NO. 10, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 15 PAGE(S) 29, 30 AND 31 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

EXCEPT THAT PORTION OF SAID LOT G DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT G;  
THENCE NORTH 722.75 FEET TO THE POINT ON THE EASTERLY LINE OF SAID LOT;  
THENCE NORTH 53° 35' 14" WEST, TO A POINT ON THE WESTERLY LINE OF SAID LOT G;  
THENCE SOUTH ALONG THE WESTERLY LINE TO THE SOUTHWEST CORNER OF SAID LOT;  
THENCE EASTERLY TO THE POINT OF BEGINNING.

PARCEL C:



2003-523261  
07/15/2003 08:00A  
3 of 4

53

THAT PORTION OF LOT A (RUSSELL ROAD) OF ROMOLA FARMS NO. 10, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 15 PAGE(S) 29, 30 AND 31 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, WHICH LIES SOUTHERLY OF THE SOUTHERLY LINE OF LOT A (MC LAUGHLIN ROAD) PROLONGED EASTERLY ACROSS RUSSELL ROAD AND WESTERLY OF THE NORTHERLY PROLONGATION OF THE WESTERLY LINE OF LOT J (MENIFEE ROAD), AS SAID ROADS ARE SHOWN ON SAID MAP, SAID ROAD HAVING BEEN VACATED FEBRUARY 5, 1962 BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY, A COPY OF SAID RESOLUTION HAVING BEEN RECORDED FEBRUARY 6, 1962 IN BOOK 2073 PAGE 21 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

EXCEPT THAT PORTION LYING WESTERLY OF THE NORTHERLY PROLONGATION OF THE CENTER LINE OF LOT G, AS SHOWN ON SAID MAP;

ALSO EXCEPT THAT PORTION LYING EASTERLY OF THE NORTHERLY PROLONGATION OF THE EASTERLY LINES OF LOTS 954 THROUGH 959 INCLUSIVE AS SHOWN ON SAID MAPS.

PARCEL D:

LOTS 980 AND 981 OF ROMOLA FARMS NO. 10, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 15 PAGE 29 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

TOGETHER WITH THAT PORTION OF LOT A (RUSSELL ROAD) ADJOINING SAID LAND, VACATED, FEBRUARY 5, 1962 BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY, A CERTIFIED COPY OF SAID RESOLUTION HAVING BEEN RECORDED FEBRUARY 6, 1962 AS INSTRUMENT NO. 11656 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, WHICH WOULD PASS BY NORMAL OPERATION OF LAW



2003-523261  
07/15/2003 08:08A  
4 of 4

54



POR. SEC. 14, T. 5 S., R. 3 W.

331-25



05/11/1928#765-183...[Not Plottable]  
(Right of Way)

07/30/1971#84903...[Not Plottable]  
(Road)

08/10/2000#310505...[Not Plottable]

07/31/1947#861-131...[Not Plottable]  
(Flumes,Pipe Lines...)

 01/29/1964#11707  
(Pipe Lines)

 09/28/1965#110759  
(Road)

 04/25/1980#78847  
(Cables, Wires Conduits,Manholes...)

Tax ID#331-250-008

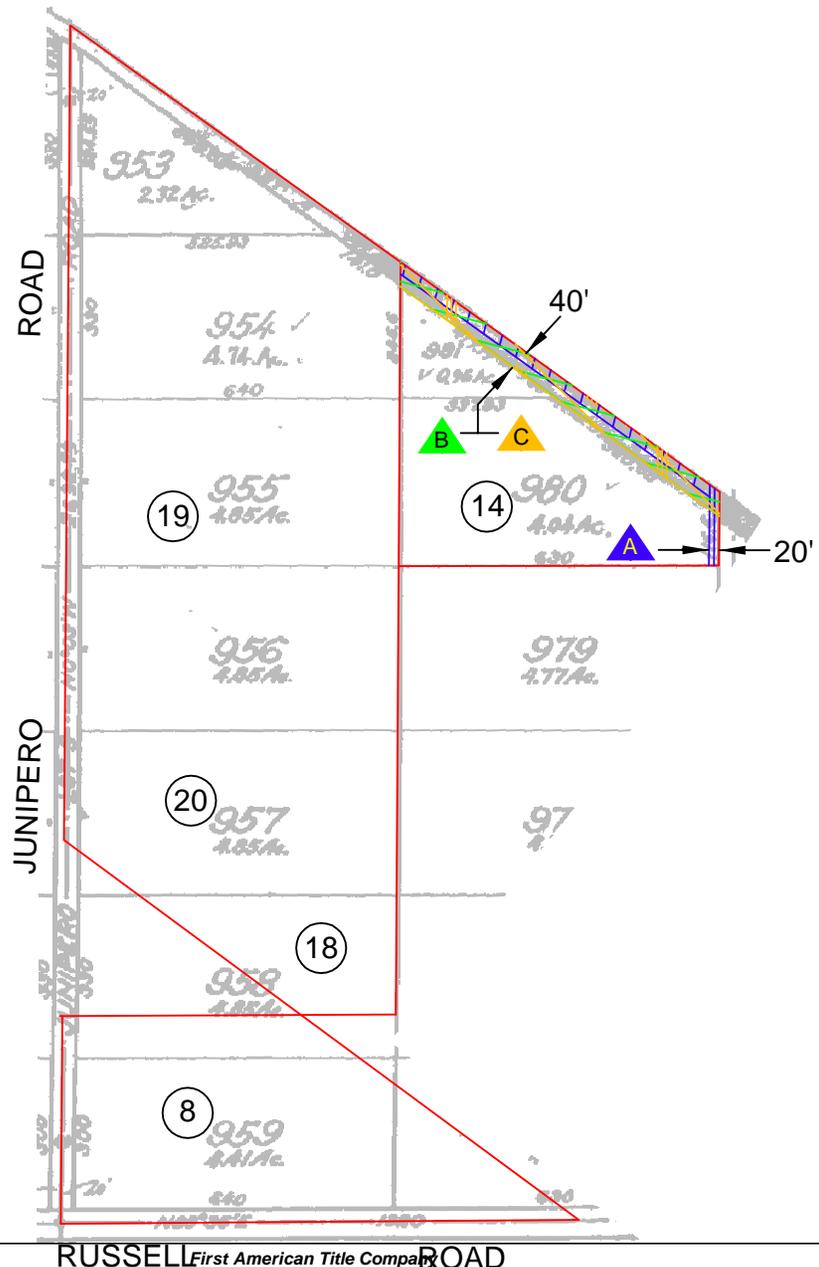
#331-250-014

#331-250-018

#331-250-019

#331-250-020

Map not to scale

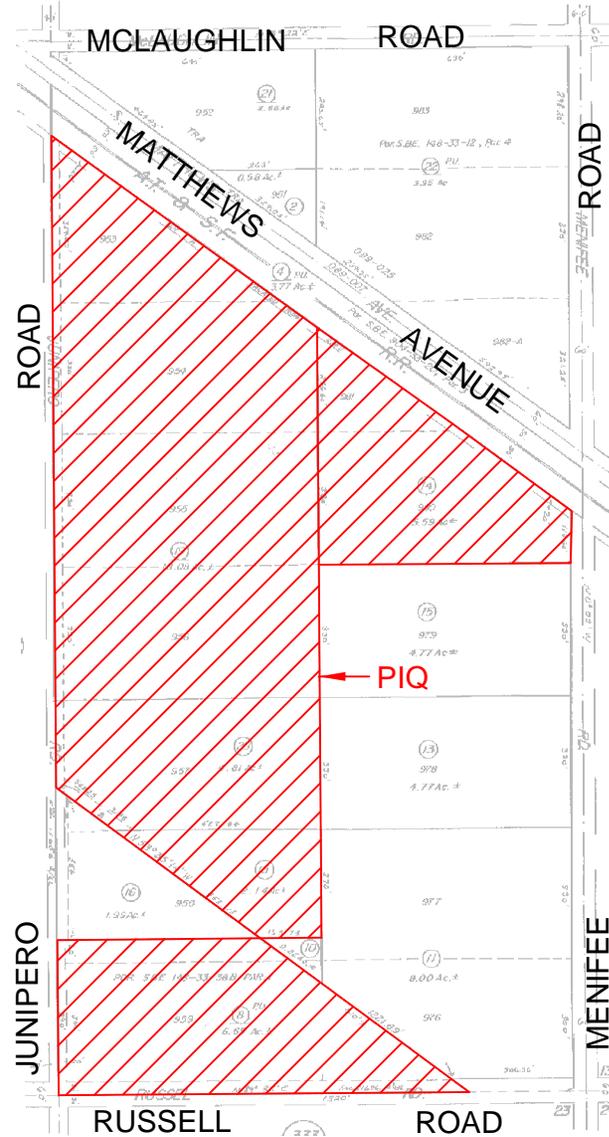


RUSSELL ROAD

This map is not a survey of the land depicted hereon. You should not rely upon it for any purpose other than orientation to the general location of the parcel or parcels depicted. Any purpose of an easement that is noted is for reference only and you should rely on the title report issued and a copy of the document for the exact term and conditions of the easement. First American Title Company expressly disclaims any liability for alleged loss or damage which may result from reliance upon this map.



POR. SEC. 14, T. 5 S., R. 3 W.



Map not to scale

**First American Title Company**

*This map is not a survey of the land depicted hereon. You should not rely upon it for any purpose other than orientation to the general location of the parcel or parcels depicted. Any purpose of an easement that is noted is for reference only and you should rely on the title report issued and a copy of the document for the exact term and conditions of the easement. First American Title Company expressly disclaims any liability for alleged loss or damage which may result from reliance upon this map.*

RECORDING REQUESTED BY

GENERAL TELEPHONE COMPANY OF CALIFORNIA

When Recorded Mail to

GENERAL TELEPHONE COMPANY OF CALIFORNIA

CLAY GRAHAM, Right of Way Agent  
1500 Crafton Avenue  
Mentone, CA 92359

RECEIVED FOR RECORD  
AT 11:00 O'CLOCK A.M.  
At Request of

*Grantee*

Book 1980, Page 78847

APR 25 1980

Recorded in Official Records  
of Riverside County, California

*Donald D. Sullivan*  
Recorder

No Documentary Transfer Tax Due By:  
General Telephone Company of California

*Clay Graham*  
Right of Way Agent

78847

GRANT OF EASEMENT

THE GRANTOR S TOM J. TEMPERO and MARGARET E. TEMPERO, ANTONIO R. SOLANO hereby grant to the GENERAL TELEPHONE COMPANY OF CALIFORNIA, a corporation, hereinafter referred to as GRANTEE, its successors and assigns, an easement to construct, use, maintain, operate, alter, add to, repair, replace, and remove its facilities, consisting of underground conduits, manholes, pedestals, cables, wires, and appurtenances for the transmission of electric energy for communication and other purposes over, in, under, across, and along that certain real property situated in the County of Riverside, State of California, described as follows:

That portion of Lot "A", lying adjacent to Lots 980 and 981 of Romola Farms No. 10, as shown by Map on file in Book 15, Pages 29, 30 and 31 of Maps, in the Office of the County Recorder of said Riverside County.

THE GRANTEE, its successors and assigns and their respective agents and employees, shall have the right of ingress to and egress from said easement and every part thereof, at all times, for the purpose of exercising the rights herein granted and shall have the right to remove such growth as may endanger or interfere with the use of said easement. Such rights shall be reasonably exercised and the Grantee shall be liable for any damage negligently done by it to the above described property.

IN WITNESS WHEREOF, the Grantors have executed this agreement this 8th day of April, 1980.

GRANTORS

*Tom J. Tempero*  
TOM J. TEMPERO  
*Antonio R. Solano*  
ANTONIO R. SOLANO

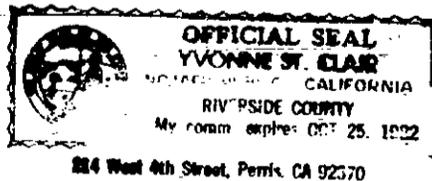
*Margaret E. Tempero*  
MARGARET E. TEMPERO

STATE OF CALIFORNIA )  
COUNTY OF Riverside ) ss.

On April 8, 1980, before me, the undersigned, a Notary Public in and for said State, personally appeared Tom J. Tempero and Margaret E. Tempero and Antonio R. Solano

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and official seal.



ABOVE AREA FOR OFFICIAL NOTARIAL SEAL

R/W W.O. 54-584-80

PLANT W.O. 584-61152-1

Signature *Yvonne St. Clair*

END RECORDED DOCUMENT DONALD D. SULLIVAN, COUNTY RECORDER

# Public Health (61-62)

---

## Sensitive Receptors

61. *Please provide a map (i.e., one that shows water bodies, structures, etc), drawn to scale, that includes, at a minimum, the facility emission points, property boundary, the Menifee Valley Ranch development, the point of maximum impact, and the 25 identified and any known planned sensitive receptors for the cancer and non cancer acute and chronic risks. U.S. Geologic Survey 7.5 minute maps are an appropriate base map choice.*

**Response:** See Figure DR61-1, attached.

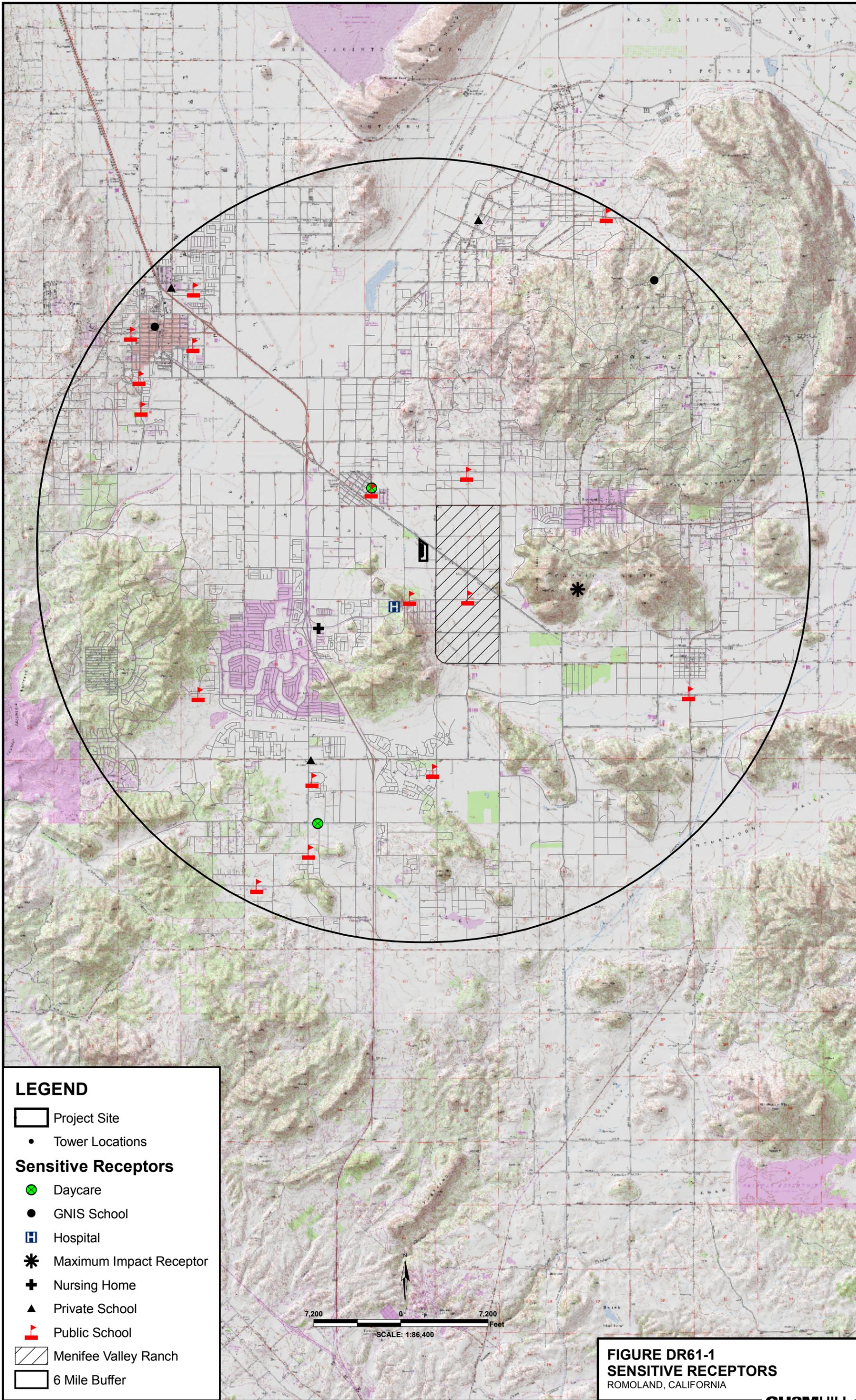
## Cancer Risk Assessment

62. *Provide maps, at the same scale as that prepared for the previous data request that show cancer risk assessment contours for the probability of 1 occurrence and for 10 occurrences in a million, and the noncancer acute and chronic hazard index contours for levels of 0.5 and for 1.0. Include the facility location and property boundary on the maps.*

**Response:** The health risk assessment was assessed with over 10,000 receptors on a 10 x 10 km grid with 100-meter spacing. Only six receptor locations were modeled with 70-year cancer risks greater than one in a million and these six receptors were clustered around two separate areas, which are located in complex terrain. These points do not provide sufficient data on which to base a true isopleth map, but describe two small areas when interpolated as 1.0E-06 isopleths. These areas are shown on Figure DR62-1.

There were no modeled cancer risks of  $10 \times 10^{-6}$ . Thus, no isopleth can be plotted. Similarly, there are no isopleths for non-cancer acute or chronic health effects at levels of 0.5 and 1.0 as these impact levels were not shown to exist based on the modeling output.





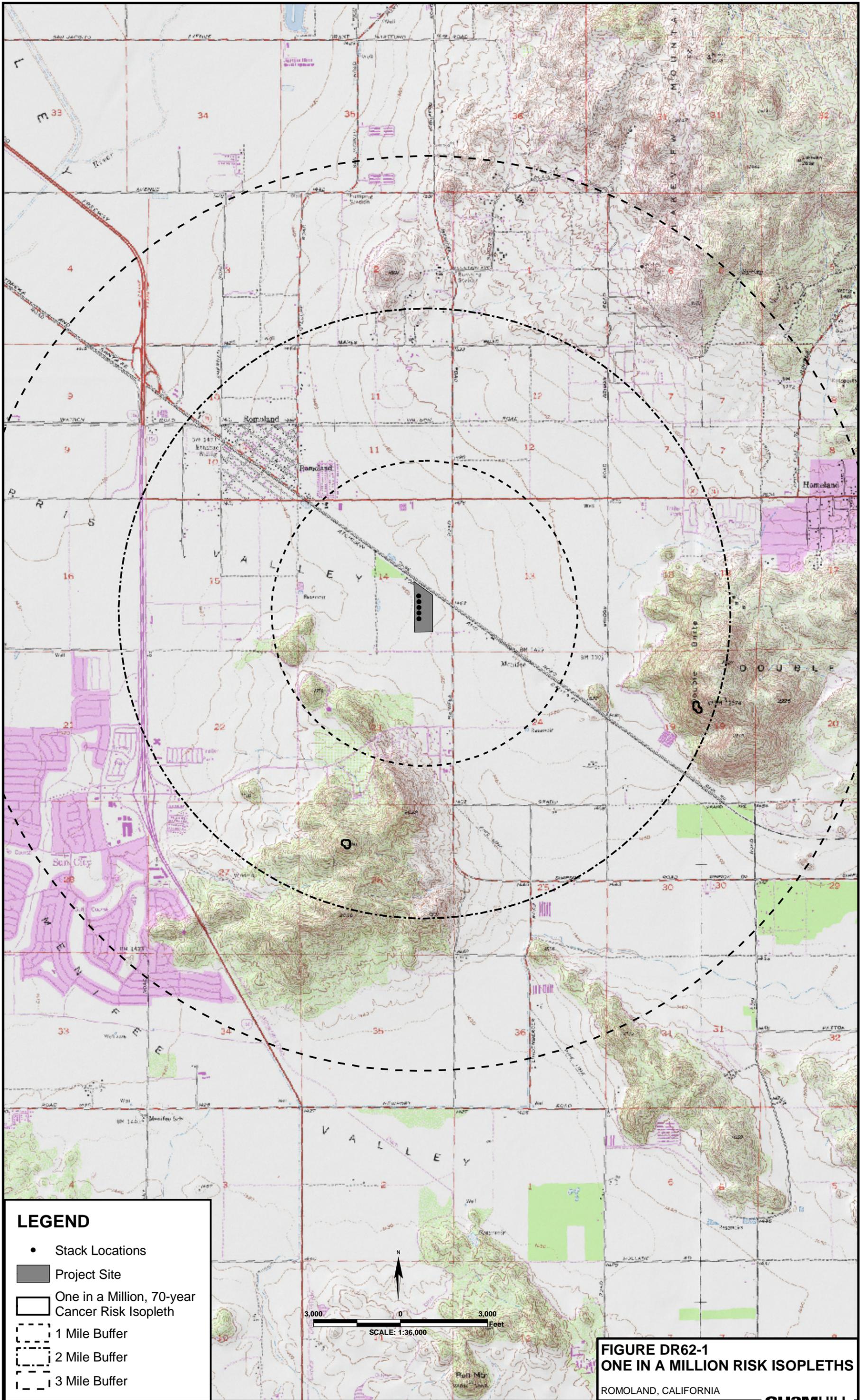
**LEGEND**

- Project Site
- Tower Locations
- Sensitive Receptors**
- + Daycare
- GNIS School
- H Hospital
- ✱ Maximum Impact Receptor
- + Nursing Home
- ▲ Private School
- ▴ Public School
- Menifee Valley Ranch
- 6 Mile Buffer

**FIGURE DR61-1**  
**SENSITIVE RECEPTORS**  
 ROMOLAND, CALIFORNIA

File Path: V:\SunValley\_CCEP\sourcedata\mxds\Sensitive\_Receptors.mxd, Date: March 29, 2006,





**LEGEND**

- Stack Locations
- █ Project Site
- ▭ One in a Million, 70-year Cancer Risk Isopleth
- - - 1 Mile Buffer
- - - 2 Mile Buffer
- - - 3 Mile Buffer

**FIGURE DR62-1**  
**ONE IN A MILLION RISK ISOPLETHS**  
 ROMOLAND, CALIFORNIA



# Socioeconomics (63)

---

## Economic Estimates

63. *To the extent possible, please indicate the year for all economic estimates (i.e., project capital costs, economic impact analysis results using The Impact Analysis For Planning (IMPLAN) input-output model, estimates of total and locally purchased materials and supplies during construction, operations payroll, and operations and annual maintenance budget).*

**Response:** The year for all estimates is 2005.



# Traffic and Transportation (64-65)

---

## Junipero Road Improvements

64. *Staff would like information regarding the current status of Junipero Road improvements and access for the project:*
- a. *Please clarify the legal status of access to the Junipero Road right-of-way to accommodate the project's construction.*
  - b. *Outline the applicant's plans and time frame for improving the right-of-way for the use during the construction and ongoing operational stages of the project.*

**Response:** (a) Junipero Road is a local County of Riverside road. SVEP expects to develop the SVEP site access described in item (b) below in accordance with the legal easements described in attachment LU-1 to the Land Use section (above) and per County of Riverside standards for Industrial Collectors and Access Roads included in attachment TT-1.

(b) During construction, the project plans to use Ethanac Road to Matthews Road to a temporary rail crossing to Junipero Road. The last 1,000 to 1,500 feet of Matthews Road to the temporary rail crossing will be improved during the first two months of construction activity. Within three months after commercial operation, Rouse Road (from Menifee to Junipero) and Junipero Road (from Menifee to the southwest site entrance gate) will be improved.

## School Bus Routes

65. *Staff would like information regarding the two School Districts bus routes in the vicinity of the SVEP:*
- a. *Please indicate whether the local school districts have bus routes and stops along the proposed construction access route, and the school districts planning process for establishing bus routes each school year.*
  - b. *If any such routes exist, please discuss the mitigation measures that will be taken to ensure the construction traffic will not reduce student safety.*

**Response:** Neither the Romoland School District nor the Perris Union High School District provide school bus service for their students.

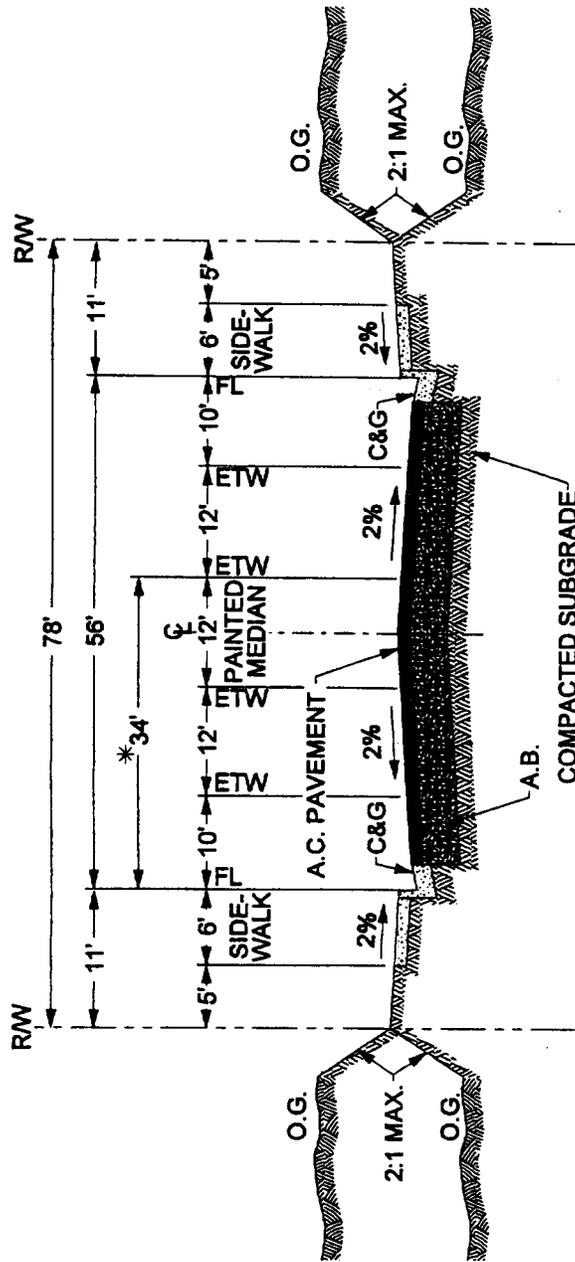


# Attachment TT-1

Riverside County Road Standards

---





\* PART-WIDTH STREET SECTION FOR AN INTERIOR COMMERCIAL OR INDUSTRIAL STREET.

NOT TO SCALE

**ABBREVIATIONS**

- A.B. = AGGREGATE BASE
- A.C. = ASPHALT CONCRETE
- C&G = CURB AND GUTTER
- ETW = EDGE OF TRAVELED WAY
- FL = FLOW LINE
- O.G. = ORIGINAL GROUND
- RW = RIGHT OF WAY

**NOTE:**

1. THICKNESS OF A.B. AND A.C. TO BE DETERMINED BY SOIL TEST AT TIME OF GRADING OPERATIONS.
2. MINIMUM PAVING THICKNESS PER SPECIFICATIONS SECTION 8.07 OF THIS ORDINANCE.
3. ALL CURB AND GUTTER TO BE TYPE "A-6" UNLESS OTHERWISE SPECIFIED.

APPROVED BY:

DATE: 11/15/04

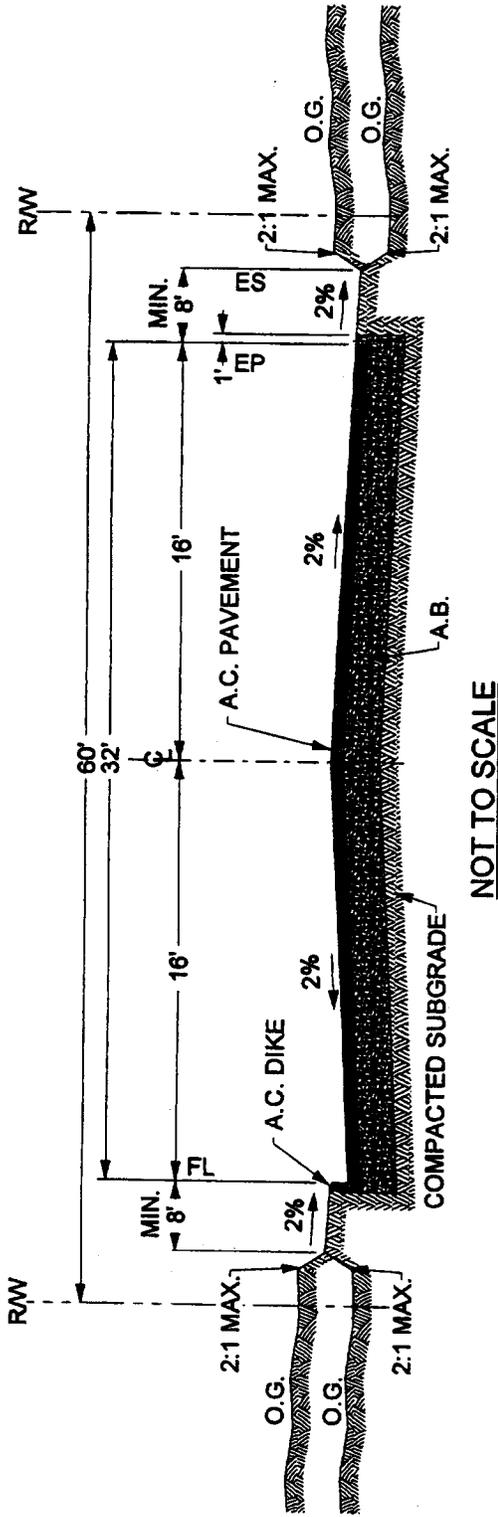
DIRECTOR OF TRANSPORTATION  
 GEORGE A. JOHNSON, RCE 42328

COUNTY OF RIVERSIDE

**INDUSTRIAL  
 COLLECTOR STREET  
 (78' RW)**

STANDARD NO. 111

| REVISIONS   | REV. | BY: | APR'D | DATE | REV. | BY: | APR'D | DATE |
|-------------|------|-----|-------|------|------|-----|-------|------|
| 9-00, 12-97 | 1    |     |       |      | 4    |     |       |      |
| 11-04       | 2    |     |       |      | 5    |     |       |      |
|             | 3    |     |       |      | 6    |     |       |      |



**ABBREVIATIONS**

- A.B. = AGGREGATE BASE
- A.C. = ASPHALT CONCRETE
- C&G = CURB AND GUTTER
- EP = EDGE OF PAVEMENT
- ES = EDGE OF SHOULDER
- FL = FLOW LINE
- O.G. = ORIGINAL GROUND
- RW = RIGHT OF WAY

**NOTE:**

1. THICKNESS OF A.B. AND A.C. TO BE DETERMINED BY SOIL TEST AT TIME OF GRADING OPERATIONS.
2. MINIMUM PAVING THICKNESS PER SPECIFICATIONS SECTION B.07 OF THIS ORDINANCE.
3. SEE STANDARD NO. 212 FOR A.C. DIKE DETAIL.

APPROVED BY:

DATE: 11/15/04

DIRECTOR OF TRANSPORTATION  
 GEORGE A. JOHNSON, RCE 42328

COUNTY OF RIVERSIDE

**ACCESS ROAD  
 (60' RW)**

STANDARD NO. 106

| REVISIONS    |  | REV. | BY: | APR'D | DATE | REV. | BY: | APR'D | DATE |
|--------------|--|------|-----|-------|------|------|-----|-------|------|
| 8-71, 11-80  |  | 1    |     |       |      | 4    |     |       |      |
| 10-81, 6-82  |  | 2    |     |       |      | 5    |     |       |      |
| 12-97, 11-04 |  | 3    |     |       |      | 6    |     |       |      |

# Visual Resources (66)

---

## Large-Format Prints

66. *Please re-scale the KOP views and simulation images to achieve life-size scale. After re-scaling the images, please provide four high quality 11" x 17" color photo copies of the existing view and simulation showing the power plant for each of the three KOPs.*

**Response:** Attachment VIS-1 contains the KOP views and project simulations formatted to print in a larger size (11" x 17" paper) than was provided in the AFC. The views and simulations themselves have not changed except that the KOP views (without project) and simulated views (with project) will now print on separate pieces of 11" x 17" paper, instead of printing on the same piece of 11" x 17" paper, as in the AFC.



# Attachment VIS-1

Large-Format Prints of Project Simulations

---





KOP-1. Existing view looking north on Junipero Road toward the proposed project site from the intersection with McCall Boulevard.

**FIGURE 8.13-2A**  
**KOP-1- CORRIDOR ALONG**  
**MCCALL BOULEVARD ON**  
**SLOPE SOUTH OF PROJECT SITE**  
SUN VALLEY ENERGY PROJECT  
ROMOLAND, CALIFORNIA





KOP-1. Simulated view of the proposed project site as seen from Junipero Road at McCall Boulevard.

**FIGURE 8.13-2B**  
**KOP-1- CORRIDOR ALONG**  
**MCCALL BOULEVARD ON**  
**SLOPE SOUTH OF PROJECT SITE**  
SUN VALLEY ENERGY PROJECT  
ROMOLAND, CALIFORNIA





KOP-2. Existing view looking northwest toward the proposed project site from the residential subdivision under development east of Meniffee Road.

**FIGURE 8.13-3A**  
**KOP-2- DEVELOPING RESIDENTIAL**  
**AREA EAST OF MENIFEE ROAD**  
SUN VALLEY ENERGY PROJECT  
ROMOLAND, CALIFORNIA





KOP-2. Simulated view of the proposed project site from the residential subdivision under development east of Meniffee Road.

**FIGURE 8.13-3B**  
**KOP-2- DEVELOPING RESIDENTIAL**  
**AREA EAST OF MENIFEE ROAD**  
SUN VALLEY ENERGY PROJECT  
ROMOLAND, CALIFORNIA





KOP- 3. Existing view looking southeast toward the proposed project site from the exit of the parking lot serving the Hamshaw Farms market and the Romoland Post Office on the north side of SR-74.

**FIGURE 8.13-4A**  
**KOP-3- CORRIDOR ALONG SR-74**  
**EAST OF ROMOLAND**  
SUN VALLEY ENERGY PROJECT  
ROMOLAND, CALIFORNIA





KOP- 3. Simulated view of the proposed project site from the exit of the parking lot serving the Hamshaw Farms market and the Romoland Post Office on the north side of SR-74.

**FIGURE 8.13-4B**  
**KOP-3- CORRIDOR ALONG SR-74**  
**EAST OF ROMOLAND**  
SUN VALLEY ENERGY PROJECT  
ROMOLAND, CALIFORNIA



# Visual Plume Analysis (67-75)

---

## Visible Plume Modeling Results

67. *If the applicant performed a visible plume modeling analysis in support of the AFC Visual Resources conclusion, please provide the modeling results, any meteorological data used in the analysis, a full discussion of all assumptions, the name and version of the model used, and all model input and output files. If a modeling analysis was not performed, please provide any analysis that supports the visible water vapor plume discussion in the AFC.*

**Response:** Visible plume modeling is in progress and will be provided under separate cover.

## Meteorological Data Files

68. *Please provide five years of meteorological data files in either the National Climate Data Center (NCDC) CD144 (surface data), NCDC-TD3280 (hourly surface observations with precipitation), or Hourly United States Weather Observations (HUSWO) format. The files should be the most recent years available. The files must include location, present weather, cloud cover, and visibility data. Please include a complete description of the source of this data (i.e. specific location, anemometer height, etc), and a discussion of why the data is representative of the area. Please also provide an electronic copy of the raw meteorological data file for each year.*

**Response:** Five (5) years of hourly Riverside Municipal Airport data in ASOS format will be used to prepare the meteorological data file for use by SACTI. The surface data at Riverside Municipal Airport will be combined with five years of San Diego Lindbergh Field upper air data (corrected to the surface temperatures at Riverside). Edwards Air Force Base does collect upper air data; however, the National Climatic Data Center has advised VSE that much of the Edwards data is missing. Thus, Lindbergh Field is the closest upper air station to the project site. Lindbergh Field is the nearest upper air station to the project site for which the most recent 5 years of data is available.

Riverside Municipal Airport data is considered a more representative data set than either Burbank for Long Beach for the following reasons:

1. *Proximity to the project site:* The Riverside Municipal Airport is the closest inland surface data set to the project site. Burbank and Long Beach are located at greater distances.
2. *Representativeness:* The Fullerton Municipal Airport data is considered more representative of the project site than either Burbank for Long Beach. Long Beach is heavily influenced by the close proximity of the Pacific Ocean and is thus more representative of a humid marine environment. Burbank, is not directly influenced by the marine environment, but is considerably influenced by the San Gabriel Mountain Range.

This data will be provided under separate cover.

## Data Files

69. *Please also provide meteorological data files for the same five years in Industrial Source Complex (ISCST3) modeling format from the above data source. These files must include stability class data.*

**Response:** As stated above, VSE will provide the Riverside Municipal Airport surface data, in CD144 format, and the San Diego upper air data, in FSL format. We have not found it necessary to convert the data into an ISCST3 meteorological data set to conduct our visible plume analysis. These data sets can be directly processed into an ISCST3 format for use with that model.

## Cooling Tower Operating Values

70. Please provide the values for heat rejection, exhaust temperature, and exhaust mass flow rate that affect cooling tower vapor plume formation for a range of ambient conditions that represent reasonable worst-case operating scenarios. At a minimum, please fill in all blanks in the table below. Please also update/correct the table, if necessary.

*Cooling Tower Operating Values*

| <b>Parameter</b>          | <b>Cooling Tower Exhausts</b> |      |      |
|---------------------------|-------------------------------|------|------|
| Number of Cells           | 5 cells (in 1 x 5 array)      |      |      |
| Cell Height*              | 11.89 meters                  |      |      |
| Cell Diameter*            | 6.71 meters                   |      |      |
| Tower Housing Length*     | 66.53 meters                  |      |      |
| Tower Housing Width*      | 11.28 meters                  |      |      |
| Ambient Temperature       | 20°F                          | 59°F | 95°F |
| Ambient Relative Humidity | 60%                           | 60%  | 60%  |
| Heat Rejection (MW/hr)    | —                             | —    | —    |
| Exhaust Temperature (°F)  | —                             | —    | —    |
| Exhaust Flow Rate (lb/hr) | —                             | —    | —    |

\* Stack dimensions from AFC Table 8.1B-2. Tower length and width (not including circulating pumps) estimated from AFC Table 8.1B-3 and 8.1B-4.

**Response:** Table DR70-1, below, presents the values for heat rejection, exhaust temperature, and exhaust mass flow rate that affect cooling tower vapor plume formation for a range of ambient conditions that represent reasonable worst case operating scenarios.

TABLE DR70-1  
Cooling Tower Operating Values

| <b>Parameter</b>          | <b>Cooling Tower Exhausts</b> |      |      |
|---------------------------|-------------------------------|------|------|
| Number of Cells           | 5 cells (in 1 x 5 array)      |      |      |
| Cell Height*              | 11.89 meters                  |      |      |
| Cell Diameter*            | 6.71 meters                   |      |      |
| Tower Housing Length*     | 66.53 meters                  |      |      |
| Tower Housing Width*      | 11.28 meters                  |      |      |
| Ambient Temperature       | 20°F                          | 59°F | 95°F |
| Ambient Relative Humidity | 60%                           | 60%  | 60%  |

TABLE DR70-1  
Cooling Tower Operating Values

| Parameter                 | Cooling Tower Exhausts |              |              |
|---------------------------|------------------------|--------------|--------------|
| Heat Rejection (MW/hr)    | <u>23</u>              | <u>26.2</u>  | <u>29</u>    |
| Exhaust Temperature (°F)  | <u>740</u>             | <u>775</u>   | <u>796</u>   |
| Exhaust Flow Rate (lb/hr) | <u>1,710</u>           | <u>1,686</u> | <u>1,622</u> |

\* Stack dimensions from AFC Table 8.1B-2. Tower length and width (not including circulating pumps) estimated from AFC Table 8.1B-3 and 8.1B-4.

## Plume Mitigation

71. *Please indicate if the cooling tower has any plume mitigation features that would reduce the exhaust moisture content below the saturated level.*

**Response:** The cooling does not have any features specifically designed to mitigate plumes.

## Cooling Tower Make and Model

72. *Please provide the cooling tower make and model number, and any vendor documentation available for the specific model.*

**Response:** The cooling tower manufacturer has not yet been selected. However, possible selections include Cooling Tower Depot model number CFD-424230-51-30 and Marley model number F467A-4.0-05.

## Vendor's Fogging Frequency Curve

73. *Please provide a fogging frequency curve from the cooling tower vendor, if available.*

**Response:** A fogging frequency curve is not yet available from the cooling tower vendor.

## Cooling Tower Cell Operation

74. *Please indicate how many cooling tower cells will be turned on under different partial load conditions (i.e. when will all five cells be on, when will four cells be on, when will two cells be on, etc.?). Please also note if ambient conditions, such as cold temperatures, dictate when cells may be turned off.*

**Response:** There are a large number of possible cooling tower fan operating scenarios. In general, the number of operating cells will be proportional to the ambient temperature and plant output (MW). For example, with all five turbines operating at full load on a high ambient temperature day, all five cells would be in service. At the other extreme, if one turbine were operating at minimum load (50 percent) and the ambient temperature were very low, no cooling tower fans would be operating (although water would be circulated through the tower). Typically, one cell will be in service for each turbine that is operating.

## Cooling Tower Fan Motors

75. *Please confirm that the cooling tower fan motors will not have a variable speed/flow controller.*

**Response:** The project does not have a variable speed control on the fans. Two-speed fan control may be added at a later date, when the final design is optimized.

# Waste Management (76-80)

---

## Investigation Protocol

76. *Please provide a protocol and schedule for conducting the above investigation and any applicable remediation for the power plant area, associated laydown area, and all appurtenant locations. The schedule will need to reflect best and worst case planning scenarios with all appurtenant locations. The schedule will need to reflect best and worst case planning scenarios with all applicable assumptions and milestones. The protocol would be subject to the approval of Energy Commission staff and that of the Department of Toxic Substances Control (DTSC). The Applicant is encouraged to enter into a Voluntary Cleanup Agreement with the Cypress regional office of DTSC to avail of any post investigation/remedial certification from DTSC. Copies of all correspondence between the Applicant and DTSC that are applicable to a Voluntary Cleanup Agreement shall be made available to the Energy Commission on a timely basis.*

**Response:** Per the Phase I Environmental Site Assessment (ESA) identified in the AFC, the project site was identified as potentially having pesticide contamination, similar to agricultural farmland in the vicinity of the project site. The Phase I ESA recommended that soil and groundwater samples be taken prior to purchase or use of the site. The Applicant will conduct limited investigations to sample and analyze pesticide concentrations in the soil and groundwater as construction planning begins. A copy of these analytical results will be provided to the CEC. Once analytical results are available VSE will work with the CEC and DTSC to determine the appropriate next steps to protect public and worker safety.

## Waste Quantities

77. *Please clarify tonnages of hazardous and nonhazardous wastes applicable to this project.*

**Response:** An editorial error was made to section 8.14.2.4, Waste Disposal Summary. The paragraph should be revised as follows (changes are in bold):

### 8.14.2.4 Waste Disposal Summary

The SVEP facility will generate nonhazardous solid waste that will add to the total waste generated in Riverside County and in California. However, there is adequate recycling and landfill capacity in California to recycle and dispose of the waste generated by SVEP. It is estimated that SVEP will generate approximately **115** tons of solid waste during construction and about **37** tons a year from operations (including approximately **3,000 pounds** of hazardous waste).

## Recycling Goals

78. *Please expand the discussion in Section 8.14.4 to include goals/targets (e.g., annual recycling goal of 25 percent during first three years of operation) that the applicant plans to commit to for each hierarchical approach and also identify the procedures that will be put in place to measure effectiveness.*

**Response:** VSE is committed to recycling to the greatest extent feasible. As such, VSE is committed to preparing a Construction Waste Management Plan and an Operation Waste Management Plan for all wastes generated during construction and operation of the facility. These plans will include a description of all waste streams, including projections of frequency, amounts generated and hazard classifications; and methods of managing each waste stream, including treatment methods and companies contracted with for treatment services, waste testing methods to assure correct classification, methods of transportation, disposal requirements and sites, and recycling and waste minimization/reduction plans. These plans will be prepared before construction begins, when detailed engineering on the facility is completed.

## Licensed Transporters

79. *Describe the protocol that will be used to evaluate and select these businesses and whether the applicant intends to audit or use equivalent methods, prior to use.*

**Response:** Although waste facilities are identified in the AFC, the final determination of where waste will be sent is dependent on capacity remaining at the sites at the time of construction and operation, accepted wastes, and the exact profile of wastes to be generated by VSE. A Construction Waste Management Plan and Operation Waste Management Plan will be prepared prior to site mobilization and site operation and will identify specific wastes to be generated at the site, and the licensed transporters and facilities that will be accepting the wastes, as well as the protocol used to determine acceptability.

## Containment Margin

80. *Provide a discussion justifying that the 20 percent margin will be adequate for containment of hazardous wastes. Include in the discussion, any detailed back up calculations leading to the specifications of the proposed containment.*

**Response:** The 20 percent margin was to contain rainfall if the hazardous waste was stored in an uncovered area. Since the SVEP hazardous waste storage area will be covered, the 20 percent extra margin for rainfall is not needed. The waste will, however, be stored on secondary containment with enough capacity for a spill from the largest container.