

Exhibit 41

City of Lemon Grove Documents
Not In The Record

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CITY OF LEMON GROVE

"Best Climate On Earth"

Engineering Services Department

December 16, 2014

Ben Anderson
BCA Development
3194-C2 Airport Loop Drive
Costa Mesa, CA 92626

Subject: Valencia Project Site – Meeting with CRWQCB, Follow up Requirements

Dear Ben,

As a follow up to yesterday's site meeting with Wayne Chiu, Water Resource Control Engineer, California Regional Water Quality Control Board, you were asked by email (attached) to provide several items by December 19th. It was also expected that the City's inspector will continue to document how long those deficiencies continue, when they are corrected, and any other unauthorized discharges that may occur due to those continued deficiencies.

Due to this, the City is requiring you to provide a map similar to the one attached with a narrative of each day's activities that work towards bringing the site into compliance. The map and narrative shall clearly identify the installed BMPs, location of installation, an estimate (%) of BMPs installed to meet compliance, date and name of preparer. The map and narrative shall be submitted to the city on the same day as the work completed and shall be submitted by email to Gary Harper and myself. Should you fail to provide the documentation on the same day, a citation will be issued. You have requested to work on Saturday in the past and the City expects BMPs will continue each day including the weekends.

The City Inspector will use the documentation provided to conduct a follow up inspection the following morning to confirm the document's accuracy. While the City will continue to perform follow up inspections, it is your responsibility to inform the City when you have reached compliance. Your first submittal is due tomorrow by midnight. For yesterday and today please submit no later than Thursday by midnight.

If you have any questions regarding this matter please contact me at (619) 825-3825.

Sincerely,

Leon P. Firsh
City Engineer

Copy: Phil Dowley, Bob Rodine, Tim Anderson
File

3232 Main Street Lemon Grove California 91945-1705

619.825.3810 FAX: 619.825.3818 www.ci.lemon-grove.ca.us



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INSPECTOR'S REPORT



CITY OF LEMON GROVE
Engineering Department
3232 Main Street
Lemon Grove, CA 91945
619-825-3810

Project: Valencia		Date: 12/24/14	Hours: 3
Developer: Anderson		Project No.: GR-1691	
Location: San Altos		Inspector: Harper	Contract Day:
Weather: Clear/warm			
MANPOWER AND EQUIPMENT			
Grading Contractor:	Underground Contractor:	Other Contractors:	
Koloa Pacific	Koloa Pacific	TVD, BCA Development, Surveyors, Cal West	
Equipment: various	Equipment: Various	Equipment: Various	
Remarks: Developer's Supervisor Onsite: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N			
TVD placing silt fence on lots 1 through 5. William advised that by end of day, they should have silt fence at lots 67 through 73. Crew also filling rills at north area of site and performing housekeeping. Koloa continues to grade roads and Cal West cleaning bio basin #18 by dewatering to lot 56, which was fortified with extra gravel bags. Dwayne on site for BCA, William onsite for TVD with appx 10 workers from Labor Ready.			
Areas of Concern: Correction Notice Issued: <input type="checkbox"/> Y <input type="checkbox"/> N			
Filed By: Harper	Date: 12/24/14	Approved by:	Date:









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Memo

Date: May 15, 2015

To: Malik Tamimi, Gary Harper, Tamara O'Neal

Cc: Tad Nakatani, John Quenzer

From: Brian Nemerow

Subject: May 15, 2015 Sampling at Valencia Construction Site

Per the City's request, D-MAX collected samples of runoff from the Valencia construction site. Runoff was observed discharging from the construction site only at the Akins Avenue entrance/exit sampling location (site Valencia_Akins, Figure 1 and Photo 1). Because gravel bag check dams were positioned along Akins Avenue from the site discharge point down to the nearest storm drain inlet, a sample was also taken downstream of the last set of gravel bags, just before the water entered the inlet (site Akins_Inlet, Figure 1 and Photo 2).

Each sample was collected and analyzed for turbidity and pH using a calibrated field meter. The Valencia_Akins site had a turbidity value that exceeded the numeric action level of 250 NTU. Unprotected loose sediment observed along the site perimeter near the Akins entrance likely contributed to the high turbidity levels. Photo 3a shows the project area near the Akins inlet during the rain event on 5/15/2015. Photo 3b is a close-up photo of the same area two days earlier. It appears that the loose sediment observed on 5/13/2015 was not sufficiently cleaned up or protected prior to the rain event.

The sample collected at the Akins_Inlet site downstream of the Akins entrance had a turbidity value below the numeric action level. This decrease in turbidity between the Valencia_Akins and Akins_Inlet locations may be due to a combination of sediment settling out at the gravel bag check dams and the runoff from Akins Avenue comingling with the site runoff. Results are summarized in the table below, and photos of the samples in clear containers are presented as photos 4 and 5.

Following sampling, the construction site foreman was informed of the high turbidity measurement, and he stated he was working toward remediating the issue.

Table 1. Sampling Results

Site	Sample Date	Sample Time	Turbidity (NTU)	pH
Valencia_Akins	5/15/2015	07:20	308	8.35
Akins_Inlet	5/15/2015	07:40	95	8.23



Figure 1. Sampling Locations



Photo 1. Site Valencia_Akins



Photo 2. Site Akins_Inlet



Photo 3a. Project area at the Akins Ave entrance/exit during rain event



Photo 3b. Project area at the Akins Ave entrance/exit on 5/13/2015. (Same telephone pole as seen in photo 3a)



Photo 4. Sample from Site Valencia_Akins



Photo 5. Sample from Site Akins_Inlet