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September 9, 2019

**Via Email [clerkoftheboard@ventura.org](mailto:clerkoftheboard@ventura.org)**

Board of Supervisors  
County of Ventura  
800 South Victoria Avenue  
Ventura, California 93009

Re: Item 35 of the September 10, 2019 Agenda

Dear Chair Bennett, Vice Chair Long and Supervisors:

This office is counsel for a number of mineral rights owners. We emphasize that in the context of this letter the representation we are bringing to your attention is on behalf of the landowners who own or have royalty interests in mineral rights. Many of these ownerships go back generations and trace to families that were part of the original founders of this County. These mineral interests, often in the form of royalty rights, are held by their descendants, including grandchildren and great grandchildren. For many, the royalties that are received are their primary source of income and this includes many elderly people, widows and disabled family members.

The right to access and extract mineral rights is a fundamental constitutional right. It is a fundamental property right. This is well established in the law and, with great respect to Leroy Smith, he is just not accurate in his legal analysis. He is inviting litigation.

It is important to make clear that there are two policy issues which, in our view, are muddled in the presentation by Mr. Smith. As we read it, under the proposal of Mr. Smith he is suggesting that vested rights can be stripped away and put through an entire environmental review in a discretionary environment that can lead inexorably to the elimination of the right to extract those minerals. Without a doubt, that is the political agenda of CFROG and others – shut down all mineral extraction. That violates California law.

The second issue, from our clients' perspective and the more important and appropriate conversation, is insuring that over time the means and methods used for extraction are periodically brought current to best management practices. What was acceptable as an operational means or method 40 years ago, is not now. Many mineral rights owners also own the land so they care about it, it needs to be kept viable and sustainable. From their perspective it is important that the means and methods of extraction are brought current periodically for everyone's benefit. But that is something entirely different than what is being suggested by Mr. Smith.

Name: Board of Supervisors  
Re: Item 35 of the September 10, 2019 Agenda  
Date: September 9, 2019  
Page: 2

If what this Board wants to do is engage in a conversation to have best management practices apply, not just to oil and gas but any number of business operations in the County, that is an entirely appropriate conversation to be had with all of the stakeholders with proper notice and opportunity to present information. If this Board's effort is to pick an industry and decide it wants to shut it down, in that case this is taking away property ownership from many who have owned the properties, including mineral rights, for generations in this County and who have as much an interest in preserving and maintaining this County for generations, as they have already, as anyone else. You need only look at aerial photographs of this County and you will see that for generations oil and gas extraction has lived successfully and positively side by side with agriculture and a whole host of other business operations and there is a reason: the families involved and their descendants care deeply about what happens to the land, their land. A stripping away of those legal ownerships as proposed by Mr. Smith accomplishes nothing other than embroiling this County in significant conflict and litigation.

Thank you for your consideration of these comments. I ask that this office be identified as an interested party to all future public noticing and communications on this topic. Email is fine to [peter@gopro-law.com](mailto:peter@gopro-law.com).

Very truly yours,

GOLDENRING & PROSSER  
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By: PETER A. GOLDENRING

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