

## Letters to the editor: Oil drilling legal challenges

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Re Whittier's proposed Matrix Oil drilling project:

The Whittier City Council's entanglement with Matrix Oil presumes that royalties from oil extraction in the Whittier Hills will cure the city's general fund budget woes. If the city of Whittier stands to gain no revenue from the proposed oil drilling project, will a favorable Environmental Impact Report (EIR) really matter? The City Council is ill advised. State funding laws prohibit private, for-profit uses on park lands purchased with taxpayer dollars.

The Whittier Hills preserve was purchased with Proposition A funding that was backed by tax assessments and tax-exempt bonds under California Public Resources Code, sections 5506.9 and 5539.9. These sections limit the use of Proposition A revenues to expenditures for the preservation of parks and foothills. Proposition A then made specific appropriations for the purchase acreage in the Whittier foothills. The Public Resources Code and Proposition A impose strict limitations on the use of lands purchased with taxpayer dollars. Such lands must be used for public park purposes in "perpetuity" (forever). Additionally, bond covenants associated with tax exempt bond

financing typically preclude private for profit uses being made on lands purchased with tax exempt bonds.

Matrix Oil extraction is a private, profit-making enterprise on publicly financed land, set aside in perpetuity for public uses. Consequently, the legality of the city's two-year-old

lease of the Whittier Hills to Matrix Oil is highly questionable. The proposed for-profit use violates unambiguous limitations imposed by the funding laws. I for one did not vote for Proposition A with the idea that the City Council would use my tax dollars to facilitate a profit-making venture for Matrix Oil, or anyone else for that matter.

So, how does the City Council conclude that royalties will flow back to the city in the form of general fund revenues? The council believes that mineral rights are outside of the limitations imposed by Prop. A. Even if that assertion were true, funding laws prohibit the city of Whittier from converting public lands into for-profit enterprises. Additionally neither Prop. A nor the grant agreement between the city and the County of Los Angeles draw a distinction between land and mineral rights. Mineral rights, like the foothills above them, were purchased with Prop. A revenues.

In the doubtful circumstance that the city could circumvent the unambiguous purpose of Prop. A, grant conditions imposed on the city require that the proceeds of any sale or lease must be first

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used within the Whittier Hills preserve and then any surplus of revenues must be returned to county voters, who authorized the Whittier Hills purchase.

Royalties, if any, belong to the Whittier Hills and the county taxpayers, not to the Whittier City Council as general fund revenue. Not even a favorable Environmental Impact Report can correct this miscalculation.

Heriberto "Eddie" F. Diaz

Whittier

14th doesn't apply

Columnist Eugene Robinson's opinion that the homosexual judge, Vaughn Walker, used the innocent portions of the 14th Amendment ("nor shall any State deprive any person of life liberty, or property, without due process of law; (2)... nor deny to any person within its jurisdiction the equal protection of the laws") to shred what Robinson characterizes as false and deceptively attractive arguments by opponents of his decision absolutely misstates what happened to America by this farcical trial.

Silly Californians, we sat by and expected a real trial. Had we known that the judge was a homosexual, the public outcry would most certainly have prevented it from going forward. His supporters obviously knew better and they

filled the courtroom to savor what we now know was a foregone decision.

Can any honest person read those two clauses in the 14th Amendment and actually believe the Founding Fathers could possibly have intended them to apply in any way to homosexual men and lesbian women? We all know (or maybe some 30 percent of us know) that both the Old and New Testaments of the Bible refer to homosexuality as an abomination in the eyes of God. We also all know that nearly 100 percent of the signers of the Declaration of Independence were devout Christians and some 19 of them were graduates of divinity schools. The group that framed the Constitution was closely similar.

Now that this lone judge has pruriently redefined these two well-intentioned provisions, what is to happen as we are confronted by those demanding plural marriages? How many wives are to be permitted? Two? Forty?

Twenty years ago I would have laughed at the thought that two men or two women shacking up would ever be considered married. Why can't these activists be satisfied with some other word?

Robinson almost admits that the 14th Amendment was adopted for the specific purpose, of protecting former slaves from being denied their rights as full citizens. Saying that it was used by former slaves creates the false impression that it was created for other purposes such as this sham. But he still tries to

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