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QUARTERLY Bundle of Writes

NEWS AND EVENTS FOR IRWA CHAPTER 67

Q1 2026

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PRESIDENT'S MESSAGE

Lara Boyko, J.D., SR/WA
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Happy New Year!

It is a new year with new adventures to enjoy!

Yes, 2025 was rough for many of us and for many parts of our industry, but as they say, 'What doesn't kill you makes you stronger.'

With this said, many (if not all of us) should be as strong as Hercules!

In all seriousness though, the process of experiencing the challenges of last year will make us all stronger and better.

If helping your new year involves learning more about right-of-way concepts and earning a credential, don't forget, there are scholarship funds available so you don't have to 'borrow' from your employer or use personal funds. For more information about the scholarship opportunities, please look for information in this newsletter, the IRWA website or contact me directly.



P R E S I D E N T



If having a better new year includes networking more, please come to a chapter lunch! We would love to see you! Also, if your office is closer to one of our sister chapters in Los Angeles or Inland Empire, please note that we are sharing invites to those chapter lunches via email.

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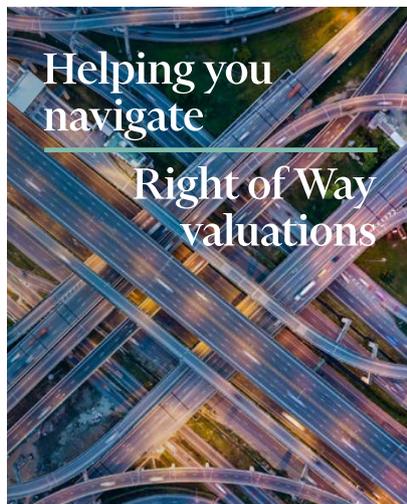
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UPCOMING EVENTS

March 2026 Luncheon

March 3, 2026

Holiday Inn Santa Ana

2726 South Grand Avenue, Santa Ana, CA 92705

Speaker: Joseph D. Munsey, RPL presents "Title Company vs. Title Consultant"

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Pickleball Membership Mixer

March 8, 2026

Pickleball Xscape

14800 Goldenwest Street, Westminster CA 92683

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Chapter 67 Is now on LinkedIn!

[Please join us. here.](#)

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CASE OF THE MONTH

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MARCH 8, 2026
1-3 PM

IRWA Chapter 67 Pickleball Membership Mixer

SUNDAY
MARCH 8
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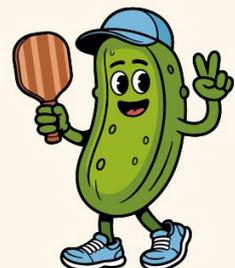


Bring a friend or family members and join us for networking, learning to play pickleball and fun with fellow right-of-way professionals!



RSVP Required by March 4.

Scan here to buy your tickets!





EDUCATION

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

Upcoming Courses

Course: 219 Adult Communication Principles and Methods

Date: 3/10/26 - 3/11/26, 8AM - 5PM

Location: Downey, CA

Course Description: This course introduces three primary methods to communicate effectively with any type of audience you may encounter and provides the necessary tools to improve your daily communication skills. Participants will engage in instructional exercises that will empower them to determine which method to employ in different situations, set the stage, and deal with fear of speaking in various situations. Moreover, participants will learn about the three types of communication: presentation, instruction, and facilitation; time management; accepting constructive feedback; facilitation preparation; practice and delivery; and handling disruptions and disturbances, including conflict and working toward resolution.

Instructor: Dr. Michele L. Folk, SR/WA, R/W-RAC, R/W-URAC, R/W-NAC has 34 years of business and right-of-way experience with an extensive background in teaching, communication, and relocation. She currently serves in a training and development capacity at GFT, Inc. (Gannett-Fleming TranSystems) an engineering and right-of-way firm. Dr. Folk's primary focus has been on the management of relocation activities, with a particular emphasis on projects involving the development and preservation of affordable housing. She is a certified Instructor for the International Right-of-Way Association and teaches relocation, right of way basics and communications courses.

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Course: 703 Real Property/Asset Management

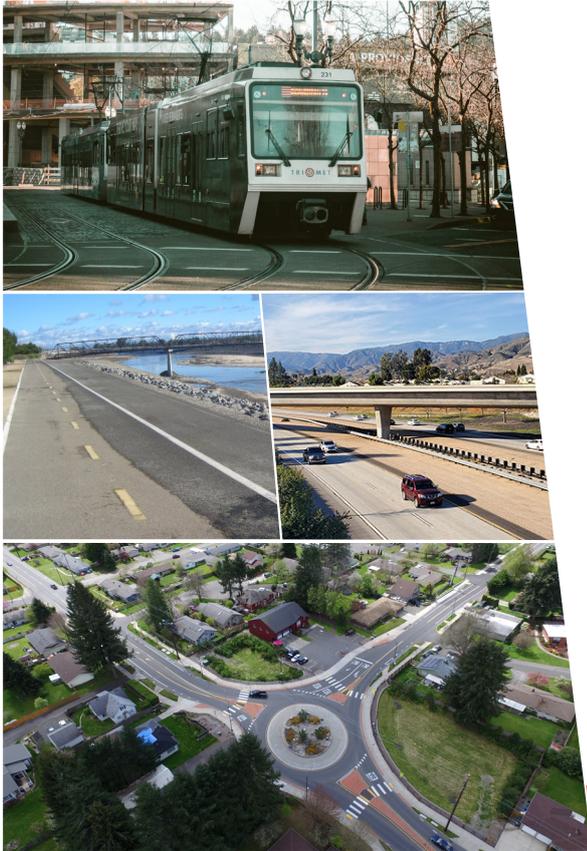
Date: 4/30/26, 8AM - 5PM

Location: Virtual Class

Instructor:TBD

Course Description: This intensive course is designed to teach participants the necessary skills and knowledge to introduce and implement an asset management program within an organization. Asset management is the comprehensively planned management of a diverse portfolio of real estate for the optimum use of available assets. Participants will explore the comprehensively planned management of a diverse portfolio of real estate for the optimum use of available assets.

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CASE OF THE QUARTER

Public Agency Cannot Sue for Inverse Condemnation for Its Own Improvements

*Bradford Kuhn, Esq., Partner
Law Firm of Nossaman LLP*

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This seems like common sense, but a public agency cannot pursue an inverse condemnation cause of action for damages suffered from its own public improvements. Yet that is exactly what the County of Santa Cruz recently attempted against another local public agency. The Court denied leave to amend to add an inverse condemnation cause of action and left unanswered a significant policy question on whether a public agency can pursue a claim for inverse condemnation at all, or whether inverse condemnation only applies to damages to private (not public) property.

Background

In *County of Santa Cruz v. City of Santa Cruz*, the County sued the City for costs the County incurred for emergency repairs to a portion of Capitola Road. The repairs allegedly resulted from City water that flowed from a creek, through drainage pipes which ultimately undermined the support under the road. The road and drainage pipes were planned and constructed by the County. But the County alleged that the City was responsible for the damage to the road due to the City's failure to maintain the drainage pipes.

The County's numerous tort claims were dismissed because the County failed to timely file a government claim. However, inverse condemnation claims are not subject to the government claims requirement, so that would not be a basis to deny leave to amend. But

the trial court denied leave to amend to add the inverse condemnation cause of action, concluding that such claims apply to damage to private property – not public property. The court's reasoning was that "inverse condemnation liability is based on the view that a private party 'should not be required to bear a disproportionate share of the costs of a public improvement.'"

Appellate Decision

Unfortunately, the Court of Appeal dodged the question as to whether a public entity may allege a cause of action for inverse condemnation, instead determining that the County's inverse condemnation action would have failed on other grounds. The Court explained that in order to state a cause of action for inverse condemnation, the plaintiff must allege that a public improvement was the substantial cause of damage to property.

- **Public Project:** With respect to a public improvement, the Court explained that the plaintiff must allege that the public agency "substantially participated in the planning, approval, construction, or operation of a public project or improvement". Where there is no deliberate action or substantial participation in a public project, such as merely owning undeveloped land, or a tree falling and damaging a home, inverse condemnation is not applicable.

- Causation: With respect to causation, the Court explained that the plaintiff must show that the damage to property was substantially caused by the inherent risks associated with the design, construction, or maintenance of the public improvement. In other words, damages must have followed in the normal course of subsequent events and been predominantly produced by the improvement, although intent or negligence are not necessary elements.

As applied to the circumstances here, the Court found that even if leave to amend was granted the County's cause of action would have failed because it was the County – not the City – that planned and constructed the road, as well as the underlying culvert and drainage pipes. The County could not identify a public improvement that the City substantially participated in that caused the County's damages; simply failing to regulate water flow from a natural creek is not sufficient. The Court found that there were no allegations in the proposed amended complaint, for example, indicating that the parties entered into an agreement in which the City agreed to assume maintenance

obligations for the road and the drainage pipes, which were planned, constructed, and owned by the County. And even if the City had a maintenance obligation, general allegations of the City's maintenance failures were insufficient – there needs to be a faulty plan involving the maintenance.

Take-Aways

Unfortunately, the Court left unanswered whether inverse condemnation claims can apply to damage to public property. My sense is yes, they can, and some older California cases make such a finding. But the decision serves as a helpful reminder that public agencies designing or constructing public improvements, and then turning them over to another public agency, should be careful to document in writing how the responsibility for maintenance and control of such public improvements will be allocated among the agencies involved.

Mr. Kuhn can be reached at bkuhn@nossaman.com.




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ARTICLE

Why Venezuela's Oil Reserves Look Bigger Than They Really Are

By Robert Rapier
R-Squared Energy
January 22, 2026
Rrapier.com

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The mission of R-Squared is to foster civil, objective discussions on energy and environmental issues.

Venezuela is often described as sitting atop the largest oil reserves on Earth. Officially, the country reports more than 300 billion barrels of proven oil—more than Saudi Arabia. To many readers, that figure implies vast, untapped wealth waiting only for political change to unlock it. But Venezuela did not become the world's reserve leader through a wave of new oil discoveries. Its rise to the top was largely the result of reclassification—driven by oil prices, evolving reserve definitions, Western technology, and political incentives. Understanding how Venezuela's reserve number came to be—and what it actually represents—requires a closer look at the nature of its crude and the assumptions embedded in the term “proven reserves.”

The Orinoco Belt: Enormous Oil in Place, With Important Caveats

The foundation of Venezuela's reserve claim lies in the Orinoco Oil Belt, a vast region containing extra-heavy crude and bitumen-like hydrocarbons. The oil is unquestionably real and enormous in scale. U.S. Geological Survey estimates suggest more than one trillion barrels of oil in place.

But oil in place is not the same thing as oil that can be economically produced, transported, refined, and sold. It bears little resemblance to the light, free-flowing crude produced in places like Saudi Arabia or West Texas. In practical terms, it is far closer to Canada's oil sands. Orinoco crude must first be mined or thermally produced, then upgraded into a synthetic crude before it can reach global markets. That makes

production capital-intensive, technologically complex, and highly sensitive to oil prices.

For decades, most of this oil was classified not as reserves, but as resources—hydrocarbons known to exist but not considered economically recoverable.

Where Venezuela's Reserves Stood Two Decades Ago

In the early 2000s, Venezuela's proven oil reserves were far more modest by global standards. Around 2005, official estimates placed the country's reserves at roughly 77 to 80 billion barrels, consisting primarily of conventional crude. That figure put Venezuela well behind Saudi Arabia and several other major producers. For context, today an 80-billion-barrel reserve base would rank eighth in the world.

Under OPEC guidelines and U.S. SEC reporting rules, a barrel of oil only qualifies as a proven reserve if it can be economically recovered at prevailing oil prices using existing technology. That definition is more economic than geological—and it is central to what happened next. At the time, oil prices averaged around \$25 per barrel. At those levels, the cost of extracting and upgrading Orinoco crude exceeded the value of the finished product. The oil was physically present, but economically stranded.

How Prices Turned Resources Into “Reserves”

That changed as oil prices surged. By 2008, crude prices were approaching \$140 per barrel. As oil prices rose, projects that had once been marginal suddenly appeared economic—at least on paper.

With higher prices and improving extraction technology, Venezuela's national oil company, PDVSA, was able to reclassify large portions of the Orinoco from "resources" into "proven reserves" under prevailing reserve definitions. This process was formalized through a government initiative known as the Magna Reserva Project, launched under Hugo Chávez to certify oil "in place" across the Orinoco Belt.

Between 2005 and 2011, Venezuela's reported reserves nearly quadrupled—from under 80 billion barrels to nearly 300 billion—without a corresponding surge in discoveries or production. The transformation was largely statistical, not physical.

But independent estimates highlight the gap between headline reserve numbers and economic reality. Rystad Energy, for example, estimates Venezuela's economically recoverable oil at roughly 29 billion barrels — about one-tenth of the official total. That estimate reflects realistic assumptions about production costs, infrastructure requirements, and oil prices.

The Upgrader Bottleneck

Even when prices are high enough to justify production on paper, Orinoco crude faces another hard constraint: infrastructure.

To make the oil marketable, Venezuela relies on large upgrading facilities originally built and operated by international oil companies such as ExxonMobil and ConocoPhillips. These upgraders convert extra-heavy crude into synthetic oil suitable for export and refining.

Following the 2007 expropriations under Chávez, many of these facilities were nationalized, and then undermaintained and allowed to deteriorate. Over time, the loss of technical expertise, spare parts, and capital investment sharply reduced their reliability and throughout.

As a result, large portions of the oil Venezuela count as "proven" are effectively stranded—existing on balance sheets, but unable to be processed or sold at scale.

Price Sensitivity: Reserves That Shrink When Oil Falls

Unlike Saudi Arabia's conventional fields, which remain profitable even at very low oil prices, Venezuela's heavy oil is extremely price sensitive.

When oil prices collapsed in 2014 and again in 2020—falling below \$60 per barrel—much of the Orinoco no longer met the economic threshold required for classification as proven reserves. Under a strict application of reserve definitions, those barrels should have been reclassified back into the resource category.

They were not.

That disconnect highlights a fundamental weakness in Venezuela's reserve claim: the headline number assumes sustained high prices, fully functioning infrastructure, and massive ongoing investment—conditions that have rarely existed simultaneously.

The Bottom Line

Venezuela's oil wealth is real, but it is often misunderstood. Its reserves are not directly comparable to those of countries like Saudi Arabia, where oil is easier, cheaper, and more reliable to produce.

Venezuela's rise to the top of global reserve rankings reflects price assumptions, accounting definitions, and political incentives—not production inevitability. For investors, the distinction that matters are between oil in the ground and oil that can be produced profitably and consistently.

Venezuela has enormous quantities of the former. The latter remains constrained by economics, infrastructure, and governance. Until those constraints change, Venezuela's status as the world's largest holder of "proven" oil reserves should be viewed as a cautionary example of how reserve numbers can mislead unless viewed in the proper context.

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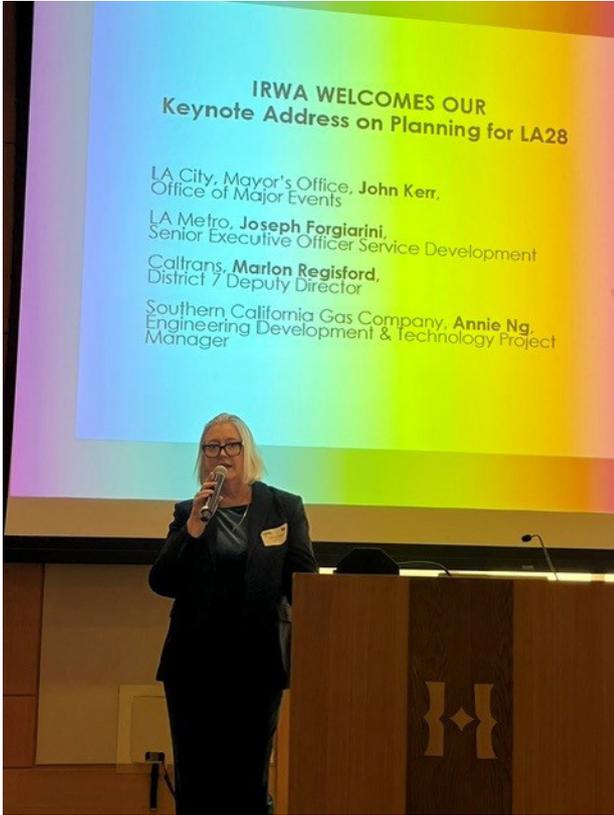


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TRI-CHAPTER RECAP



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