

June 13, 2019

To: Coos County Planning Department
250 N. Baxter Street
Coquille, OR 97423

RECEIVED

2019
JUN 13 REC'D

COOS COUNTY
PLANNING DEPARTMENT

Please place the attached document in the record for the Blue Ridge Appeal, AP 19-02.

Thank you.



Cary A. Norman
96121 Fairview Sumner Lane
Coquille, OR 97423

Exhibit: 6
Date: 6/13/19

June 13, 2019

Coos County Commissioners
Coos County Courthouse
250 N. Baxter St.
Coquille, Oregon 97423

Re: ORS 30.275 Tort Claim Notice

Claimant: Cary A. Norman

To Whom It May Concern:

This letter serves as a formal notice of potential claims for damages against Coos County as required by ORS 30.275 (Oregon Tort Claim Act).

On October 21, 2014, the Coos County Board of Commissioners adopted Order 14-09-062PL, File No. HBCU-13-06, which approved an application to build a 36 inch, highly pressurized natural gas pipeline across my property to enable a private corporation (now a Canadian corporation - Pembina) to ship Canadian-sourced gas to Asian countries. The county's permit is essential to the corporation's ability to exercise the right of eminent domain to take that portion of my property should it obtain a permit from the Federal Regulatory Energy Commission (FERC).

The county's enabling the threat of eminent domain has caused me to lose the full use and enjoyment of my property since the permit was issued. Not only do I live with anxiety about the safety and hazards risks of this explosive conveyance, I have had to manage my property differently and/or curtail my development of my property. Moreover, I cannot freely alienate my property at its fair market value without a hazardous pipeline. I have now sustained this cloud on my title, use and enjoyment for almost 5 years, three of those years have been a direct result of the County's failure to hold the applicant accountable, its failure to protect my rights, and its concerted effort to apply distorted interpretations of applicable law and enact amendments to its code provisions to actively assist the applicant maintain its right to condemn my property under the county's permit.

The corporation has not been diligent in seeking its FERC permit resulting in a denial of its FERC application in 2016. Yet, the county has extended the permit three times, employing the methods, among others listed above. Most recently the county extended the permit, this year, and thereby continues my injury even knowing that the FERC has rejected the corporation's request to place its pipeline on my property.

So, please be advised that the undersigned affected landowner may assert a claim for damages against the County. The potential legal theories include: 1) inverse condemnation - the permit causing a nuisance, condemnation blight or regulatory invasion that has devalued and substantially interferes with my right of possession, use and enjoyment of my property; 2) intentional deprivation of civil rights; and 3) intentional emotional distress.

I reserve the right to amend this notice as additional information becomes available and reserves all other rights and remedies available under law.

Name of Claimant: Cary A. Norman

Mailing Address to Which Correspondence Concerning the Claim May be Sent:
96121 Fairview Sumner Lane
Coquille, OR 97423

If you have any questions, please contact me. Thank you for your attention to this matter.

Yours truly,



Cary A. Norman

JUNE 13, 2019!

cc:
copy via e-mail:

Coos County Planning Department
Nathaniel Greenhalgh-Johnson
njohnson@co.coos.or.us

