



November 21, 2007

Clatsop County Board of Commissioners
c/o Community Development Department
800 Exchange St., Ste. 100
Astoria, OR 97103

To the Board:

The Northwest Property Rights Coalition is a group of citizen activists in Oregon and Washington who believe that an individual's land should not be taken for the benefit of private business. We are opposed to the pipelines that will result from the approval of Bradwood Landing, LLC and therefore we are opposed to Bradwood. We use the plural because we find that the Palomar pipeline is an entirely predictable outcome of Bradwood and was wrongly excluded from deliberations. We believe that Palomar has been deliberately kept off the table for two reasons: to maintain the fiction that the gas is not destined for California; to minimize additional negative testimony from affected land owners. This conjecture is supported by the high turnout and virtual 100% opposition expressed at the recent FERC hearings in Forest Grove, Maupin, Molalla, and McMinnville.

FERC's inclination is to approve multiple pipelines and let "the market" decide which ones get built. This system puts a heavy burden, a sword of Damocles, over those targeted for pipelines. Merely drawing the line on the map has uncompensated, real-world effects. People may not be able to sell their land when, and how they would like; they may experience stress and anxiety; precious time is taken up in meetings and phone calls, and all of this activity is uncompensated.

If FERC were truly interested in a free market solution it would put people ahead of pipelines and require that routes be sought on the land of willing landowners first. But with the power of eminent domain behind them there is no incentive. 36" pipelines have been estimated to cost \$1 million a mile, with only \$50,000 per mile paid out as a one-time payment to landowners; a huge windfall.

The Palomar pipeline from Bradwood is especially galling as it would take prime Oregon agricultural and forest land in order to deliver gas to California.

We have prepared a resolution and order for your consideration (attached) that expresses our position, which we believe is shared by the vast majority of Clatsop County residents. We the undersigned urge you to pass it without delay.

Sincerely,

Marc Auerbach
Founding Member

Signatories to Date

Carine Goldin	Molalla
Carol Wick	Gaston
Carolyn Larson,	Yamhill
Christopher Paddon	Astoria
Dan Cano	Birkenfeld
David Gould	Portland
Dennis Callegari	
Edward Schrock	Woodburn
Glen Mattson	Yamhill
Janet P. Stonecipher	Yamhill
Jim Morford	Gaston
Joyce Sauber	Gales Creek
Linda Mattson	Yamhill
Leslie Ulven	
Mel Ulven	
Pat Ross	Molalla
Robert Davis	Longview
Sam Sweeney	
Sandra Davis	Longview
Shahna Morford	Gaston
Sharon Schrock	Woodburn
Stephen Wick	Gaston
Susan Skinner	Astoria
Thomas Duncan	Astoria
Troy Horton	Birkenfeld
Vonda K. Brook	Washington
Wayne H. Stonecipher	Yamhill

**Before the Board of County Commissioners of
Clatsop County, Oregon**

WHEREAS, The founders realized the fundamental importance of property rights when they codified the Takings Clause of the Fifth Amendment to the Constitution, which requires that private property shall not be taken for public use, without just compensation, and

WHEREAS The determination as to whether a contemplated use be really public is a judicial question, best determined as such without regard to any legislative assertion that the use is public, and

WHEREAS Ownership rights in rural communities are fundamental building blocks for our Nation's agriculture and forestry industries, which continue to be some of the most important economic sectors of our economy, and

WHEREAS Rampant, speculative, and careless routing of proposed right-of-ways causes undue stress and anxiety, and real and wasteful expenditures of time and money to those affected, and

WHEREAS The Energy Policy Act and Natural Gas Act, usurp the jurisdiction of state and local governments for utility right-of-ways, and denies control by residents and state and local officials, who have a better understanding of the economic, environmental, and safety concerns that exist in their communities, now

THEREFORE BE IT RESOLVED THAT the Board finds that the use of eminent domain for the purpose of private development of rights-of-way is a threat to agricultural, forestry, and other property in rural Clatsop County and that the Board should protect the property rights of county residents, including those who reside in rural areas. Where utility rights-of-way are sought, they should always prefer, in order: uninhabited areas, existing rights-of-way, unoccupied lands, willing landowners; never forced upon unwilling landowners.

Property rights are central to liberty in this country and to our economy. The use of eminent domain to take farmland and other rural property for private economic development threatens liberty, rural economies, and the economy of Clatsop County. The Board has a duty to protect the property rights of its residents in the face of eminent domain abuse