

From: [Oliver Orjiako](#)
To: [Sonja Wiser](#)
Subject: FW: Stream Manipulation?
Date: Thursday, November 30, 2023 8:19:37 AM

Hi Sonja:

For the record. Thank you.

-----Original Message-----

From: Andrew & Brenna Collins <ab.fm@icloud.com>
Sent: Thursday, November 30, 2023 7:46 AM
To: ccuinc@yahoo.com
Cc: Glen Yung <Glen.Yung@clark.wa.gov>; Sue Marshall <Sue.Marshall@clark.wa.gov>; Kathleen Otto <Kathleen.Otto@clark.wa.gov>; Oliver Orjiako <Oliver.Orjiako@clark.wa.gov>; Michelle Belkot <Michelle.Belkot@clark.wa.gov>; Karen Bowerman <Karen.Bowerman@clark.wa.gov>; Gary Medvigy <Gary.Medvigy@clark.wa.gov>; j.malinowski@ieee.org
Subject: Stream Manipulation?

CAUTION: This email originated from outside of Clark County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Carol and other Board members of Clark County Citizens United,

My family and I are the property owners that raised concerns about the road that PVJR and John Warnke placed directly on top of wetland, including a natural stream bed. When we discovered that they had no permits (according to public record) we contacted the proper authorities to provide investigations. We invited all local, State, and Federal agencies access to our property to perform their analysis, as they also met with Warnke and Nathan Bruce on Warnke's parcels.

The agencies have completed their investigations and found that PVJR and Warnke failed to apply for proper permitting through the United States Army Corp of Engineers, and the Department of Ecology. Due to their negligence, they are in violation of the Clean Water Act, as well as the Endangered Species Act. [The letters of non-compliance are public record, so please do your due-diligence and request copies for the 'forester' who is providing you these 'reports.']

Due to the negligence and non-compliance of PVJR and John Warnke, other Federal agencies were brought on board to ensure accountability. Including the Environmental Protection Agency, NOAA- National Marine Fisheries Service, and the Department of Fish and Wildlife. The WA Department of Transportation is also now conducting an investigation due to the nature of an unpermitted roadway connecting to 503.

I assure you that these agencies base their work in facts and science, rather than baseless claims and hear-say, but again- please contact them for your own due-diligence.

If anyone is manipulating the stream to appear to be something that it is not, it is those that have no evidence or facts with which to support their chatter.

Our family has no problem with development in the area, what we do have a problem with is corporate abuse of the environment- grading and filling wetlands without proper permitting, and lack of technical expertise while performing heavy construction (such as building a road that can support heavy equipment such as gravel trucks and Bulldozers through a sensitive area that contains slope and wetland). The COO of PVJR, Nathan Bruce, has provided testimony that no engineering experts were consulted to build the road.

Carol, I would tread lightly, as the accusations that your organization is making are getting seriously close to defamation. The 'claims' that you presented to the Council are not supported with any evidence whatsoever. They

are obtuse and uninformed.

I encourage you, the organization that you represent, and the forester that you are speaking for to educate yourselves on small stream ecosystems, watersheds and how they work, and the life cycles of Anadromous fish (like the Coho and Steelhead in our stream).

I saw that Jim Malinowski is a Board member of your organization- he told us that he has been involved in Salmon recovery for many years, maybe he can explain to you how the fish happened upon our stream. I have cc'd him for your convenience.

I want to conclude by being clear, our family purchased our home along side the railroad track. We have no qualms with the railroad, but PVJR has proven itself to be a company that lacks integrity, neglectful in their practices, and an inadequate business to pursue work in our County.

I understand that your organization aims "to promote appropriate land use planning, while maintaining a high quality of life for citizens and protecting private property rights" (from your website). A noble effort. But, as the representative for your organization you should be providing evidence for your claims and performing your own due diligence.

Feel free to contact me if you need help finding any of the public information available in this case. It is quite vast.

Brenna Collins
715-821-2403

From: [Oliver Orjiako](#)
To: [Sonja Wiser](#)
Subject: FW: Stream manipulation against railroad use is not acceptable
Date: Wednesday, November 29, 2023 8:48:46 AM

Hi Sonja:

For the record. Thank you.

From: Clark County Citizens United, Inc. <cccuinc@yahoo.com>
Sent: Tuesday, November 28, 2023 9:27 PM
To: Karen Bowerman <Karen.Bowerman@clark.wa.gov>; Gary Medvigy <Gary.Medvigy@clark.wa.gov>; Michelle Belkot <Michelle.Belkot@clark.wa.gov>; Glen Yung <Glen.Yung@clark.wa.gov>; Sue Marshall <Sue.Marshall@clark.wa.gov>; Kathleen Otto <Kathleen.Otto@clark.wa.gov>; Oliver Orjiako <Oliver.Orjiako@clark.wa.gov>
Subject: Stream manipulation against railroad use is not acceptable

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FOR THE PUBLIC RECORD AND THE COMPREHENSIVE PLAN
November 28, 2023

Re: Stream manipulation against railroad use is not acceptable

Dear Councilors,

Clark County Citizens United, Inc. has recently been informed by a forester, who is highly regarded, that there has been some stream manipulation happening in the ongoing mining overlay and Chelatchie Prairie Railroad use conflict that is now ongoing. This is a report obtained from a neighboring property included in the proposed fish bearing stream, that is reported to be impacted by railroad access in the Chelatchie Prairie area by Eric Temple.

The landowner reported that he owns land within the discussed "stream", which was highlighted to have contained fish and is being impacted by recent excavation. on behalf of a mining company. His claim is that those opposed to the construction of an access road to the railroad have manipulated a stormwater drainage area to make it appear to be a fish bearing stream.

He claims that water was brought into areas of the drainage area to make it look like a stream. That "stream" was then planted with small minnow like fish. That process killed some of the fish, which appeared to be floating in the water. This landowner said that the drainageway is dry most of the year, except when it rains. Even after a rain, it isn't long before the drainage area is dry again. It is an area of stormwater runoff that is not technically a "stream" and is simply rain water at certain times of year.

CCCU notes that technically, a true stream must have an underground source or headwater. Stormwater runoff is simply rain water that runs on top of the ground caused by rain storm events. This water does not have an underground source or headwater. There is a great deal of drainageways in Clark County that are being called "streams" which are not true streams and do not support fish or other stream habitat. There is a difference.

If it is true that the "stream" in question, being excavated, was indeed manipulated to make it appear to be a fish bearing stream, that would be considered clandestine actions by the persons doing such actions.
It is important that Clark County get it right, and interviews with all of the affected neighbors would be in order.

Sincerely,

Carol Levanen, Exec. Secretary

Clark County Citizens United, Inc.
P.O. Box 2188
Battle Ground, Washington 98604

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