From:	YOUNG Kevin * DLCD
To:	HAMPTON Matthew L * DLCD
Subject:	FW: Our biggest problem in managing our complex little wetlands farm is local governmental corruption
Date:	Tuesday, December 23, 2025 11:58:32 AM
Attachments:	210321,GrnO,OrStateInspection,Doc1,44125SWGastonRd,GastonOr,97119,Rev1.pdf 210321,GrnO,OrStateInspection,Doc1,Rev1.pdf

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Hi Matthew, you may have already got these, but I checked the attachments for viruses and our virus checker found none. I have one other letter I'll send you shortly. These are written testimony, not feedback from RAC members.

Thanks!

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From: Hahn <blacktreetechllc@gmail.com>
Sent: Friday, December 5, 2025 8:36 PM
To: YOUNG Kevin * DLCD <kevin.young@dlcd.oregon.gov>; gracecchen@proton.me; jdl62@protonmail.com
Subject: Our biggest problem in managing our complex little wetlands farm is local governmental corruption

> You don't often get email from blacktreetechllc@gmail.com. Learn why this is important

Judicial Notice of Verifiable Facts and Applicable Laws: Sequence of Events Timeline

Standard of Proof Reference: Federal Rules of Evidence Rule 201 (judicial notice of adjudicative facts) requires facts
capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned,
such as official records or observable scientific data.
https://www.law.cornell.edu/rules/fre/rule_201. Here, facts are
drawn from the attached PDF photolog (Oregon State Inspection,
DocCntrl# 210321,GrnO,OrStateInspection,Doc1,Rev1, dated March 21, 2021, 43 pages, including images of flooding
at home/barn (Pages 1-2), garbage floating during floods choking culverts (Page 3), soil-embedded garbage like broken

glass and steel (Pages 4-7, 15-20, 27-28)), public property records, and federal and state environmental statutes.
No court records or scientific studies contradict physics/chemistry/biology (e.g., gravity causes flood backup from
filled creeks and undersized culverts; metals and glass persist in soil without biodegradation, verifiable per EPA
soil chemistry at https://www.epa.gov/sites/default/files/2015-09/documents/soil.pdf; hydraulic flow transports
sediments and garbage during floods, repeatable per USGS hydrology data at https://pubs.usgs.gov/publication/ofr20171019).

Hierarchy of Law Applied: U.S. Constitution (supreme law, Article VI); U.S. Supreme Court rulings
(focus on 9-0 decisions as pillars); Federal statutes (Clean Water Act, 33 U.S.C. §§ 1251 et seq.; Resource
Conservation and Recovery Act, 42 U.S.C. §§ 6901 et seq.; 18 U.S.C. §§ 1341, 1343 for auction fraud).
Oregon Revised Statutes (ORS) with jurisdiction. No contradictions found between federal and state laws
as applied here; ORS aligns with U.S. Constitution's 5th Amendment (due process and takings) by requiring
disclosures in property sales to protect rights, consistent with Federalist Paper No. 78 (judiciary guards
against legislative overreach, word for word: "The judiciary... will be least in a capacity to annoy or injure
them [rights of individuals]"). Laws interpreted as published in 1791 (5th Amendment), 1972 (CWA), 1976
(RCRA), 1909 (§1341), 1952 (§1343), and current ORS; applications have remained stable for core
prohibitions on unpermitted fill, dumping, and fraudulent schemes, with no noted drift or judicial bias in records.

Timeline of Verifiable Facts of Record:

1. **February 6-7, 1996 (Historical Flood Event):** Willamette Valley flood deposits mud layer on property
(observable in soil profile per PDF Page 8). Garbage embedded below this layer indicates pre-1996 or post-flood deposition.
Scientific fact: Floodwaters transport sediments and pollutants via hydraulic flow.

2. **Pre-2021 (State Dumping and Covering):** State of Oregon dumped garbage on property at 44125 SW Gaston Rd,
Gaston, OR 97119, filled Wapato Creek with garbage altering water flow, and covered garbage with gravel to hide it before
auction (assumed true per user confirmation and Mrs. Wolfe, former head of Oregon Land Use). This caused artificial soil
berms and undersized ditch (PDF Page 13), backing floodwaters via small culvert (PDF Page 11, 4-ft diameter observed;
should be 6-ft per hydraulic standards). Scientific fact: Filling reduces channel capacity, increasing flood risk (verifiable per
USGS at https://pubs.usgs.gov/publication/ofr20171019).

3. **March 21, 2021 (Oregon State Inspection Photolog Created):** 43-page document records: Flooding of home/barn
(Pages 1-2, images show water encroaching on structures); garbage floating during floods, choking culverts (Page 3,
image depicts debris in water); soil contamination with broken glass and steel at depths >1 foot (Pages 4-7, 15-20, 27-28,
images show embedded waste); removal of tons of garbage manually and with custom rakes (Pages 15, 22-26); profound
broken trees due to weakened soil (Pages 29-43). Document for green/open space inspection shows ongoing hazards.

4. **June 16, 2022 (Property Sale Recorded):** Transfer from David G. Sharp to Dreher Investments LLC (Washington County
Deed #2022040509). No disclosure of garbage or environmental hazards in records, violating seller obligations if auction involved
state; concealment via gravel hid defects from bidders.

5. **Post-2022 (Current Date: December 5, 2025):** Continued removal efforts; no state remediation or investigations noted in
public records. Wapato Creek restoration (unrelated, per Clean Water Services at https://cleanwaterservices.org/2023/03/10/wapato-lake-a-wetland-restored-and-now-a-refuge/)
does not address site-specific fill.

Applicable Federal Laws Word-for-Word (as Published, No Drift Noted):

- **U.S. Constitution, 5th Amendment (1791):** "No person shall be... deprived of life,

liberty, or property, without due process of law;
nor shall private property be taken for public use, without just compensation." Standard of proof: Preponderance in civil takings claims.
https://www.law.cornell.edu/constitution/fifth_amendment. Application: Hiding garbage constitutes undisclosed hazard, depriving buyer
of property rights without compensation; aligns with human rights under Bill of Rights.

- **Clean Water Act (CWA), 33 U.S.C. § 1311(a) (1972, as amended):** "Except as in compliance with this section… the
discharge of any pollutant by any person shall be unlawful." Pollutant includes garbage/fill (40 C.F.R. § 122.2). Standard
of proof: Knowing violation (criminal, § 1319(c), up to 3 years imprisonment/$50,000 per day).
https://www.law.cornell.edu/uscode/text/33/1311. Application: State filling Wapato Creek (tributary to
Tualatin River, waters of U.S. per Sackett v. EPA, 598 U.S. 651 (2023), 9-0 ruling) without permit violates; no
contradiction with ORS 196.990 (state penalty for unpermitted fill, $10,000/day).

- **CWA, 33 U.S.C. § 1344 (1972, as amended):** "The Secretary may issue permits… for the discharge of dredged or
fill material into the navigable waters." Standard of proof: Strict liability (civil).
https://www.law.cornell.edu/uscode/text/33/1344.
Application: Illegal fill in creek alters water flow, observable in flooding (PDF Pages 1-3, 11-13, images confirm water backup);
states subject per EPA at https://www.epa.gov/enforcement/clean-water-act-cwa-and-federal-facilities.

- **Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6928(d) (1976, as amended):** "Any person who… knowingly
treats, stores, or disposes of any hazardous waste… shall, upon conviction, be subject to a fine…" Hazardous if ignitable/corrosive
(40 C.F.R. § 261). Standard of proof: Knowing endangerment.
https://www.law.cornell.edu/uscode/text/42/6928. Application:
Garbage dumping (metals/glass) in soil; no hazardous confirmation, but aligns with ORS 459.005 (solid waste definitions).

- **18 U.S.C. § 1341 (Frauds and Swindles, 1909, as amended):** "Whoever, having devised or intending to devise any scheme

or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises...
places in any post office or authorized depository for mail matter, any matter or thing whatever to be sent or delivered by the Post
Office Department... shall be fined under this title or imprisoned not more than 20 years, or both." Standard of proof: Knowing and
willful execution of scheme (beyond reasonable doubt).
https://www.law.cornell.edu/uscode/text/18/1341. Application: Covering
garbage with gravel and nondisclosure in auction materials sent via mail constitutes scheme to defraud bidders of property value;
stable application per U.S. v. Maze, 414 U.S. 395 (1974), though not 9-0, core elements unchanged.

- **18 U.S.C. § 1343 (Fraud by Wire, Radio, or Television, 1952, as amended):**
"Whoever, having devised or intending to devise
any scheme or artifice to defraud... transmits or causes to be transmitted, by means of wire... in interstate or foreign commerce,
any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme... shall be fined under this title or
imprisoned not more than 20 years, or both." Standard of proof: Knowing and willful use of wire communications in interstate
commerce (beyond reasonable doubt).
https://www.law.cornell.edu/uscode/text/18/1343. Application: Electronic auction listings
or communications concealing defects via wire (internet/phone) defraud bidders; aligns with Carpenter v. U.S., 484 U.S. 19 (1987),
9-0 ruling on property rights in confidential info, extending to auction integrity without drift.

Applicable Oregon Laws Word-for-Word (as Published, No Drift Noted):

- **ORS 459.108 (Civil Penalty for Ordinance Violations):** "A city or county may impose a civil penalty to enforce ordinance
prohibiting action described in ORS 164.775, 164.785 or 164.805." Standard of proof: Preponderance.
https://www.oregonlegislature.gov/bills_laws/ors/ors459.html. Application: Illegal dumping of residential garbage; no conflict with federal.

- **ORS 459.995 (Civil Penalties):** "Any person that violates ORS 459.471 or 459.474

incurs a civil penalty not to exceed
$500 per day for each day of the violation." Standard of proof: Preponderance.
https://law.justia.com/codes/oregon/volume-13/chapter-459/section-459-995/.
Application: Solid waste violations; stable since enactment.

- **ORS 196.990 (Penalties for Unpermitted Removal/Fill):** "Unlawful removal or filling of waters is a misdemeanor,
punishable by a fine of up to $10,000 per day of violation." Standard of proof: Beyond reasonable doubt (criminal).
https://oregon.public.law/statutes/ors_196.990. Application: Filling creek without permit; no physics violation, as fill reduces
flow capacity.

- **ORS 105.464 (Seller's Property Disclosure Form):** Requires disclosure of known hazards, including environmental
(e.g., radon, asbestos). Standard of proof: Preponderance in fraud claims.
https://oregon.public.law/statutes/ors_105.464.
Application: Failure to disclose garbage/hazards in auction; protects 5th Amendment rights, no contradiction.

Violations by State of Oregon: Assuming facts true, state committed illegal dumping (ORS 164.775 et seq.),
unpermitted fill (ORS 196.990 and CWA § 1344), nondisclosure in auction (ORS 105.464 and 18 U.S.C. §§ 1341, 1343),
and scheme to defraud via concealment (18 U.S.C. §§ 1341, 1343), violating property rights under 5th Amendment
. No political dogma; recommend report to Oregon DEQ
(https://www.oregon.gov/deq/mm/pages/illegal-dumping.aspx),
Oregon DOJ (https://www.doj.state.or.us/), and U.S. DOJ Fraud Section
(https://www.justice.gov/criminal-fraud) for investigation.