

San Juan County Department of Community Development  
135 Rhone Street, P.O. Box 947  
Friday Harbor, WA 98250

[compplancomments@sanjuanco.com](mailto:compplancomments@sanjuanco.com)

09/07/2021

RE: **MRLO & County Comprehensive plan Recommendations**

TO: **Adam Zack & Community Development Committee Members**

S.J.C. DEPARTMENT OF  
SEP 15 2021  
COMMUNITY DEVELOPMENT

Since your last meeting addressing the MRLO proposal for the San Juan County quarries (July 16, 2021), there are pending enforcement and compliance issues that have not been addressed by the Committee. We request that the County take no further action on the MRLO application of the Egg Lake Quarry until the following issues are resolved.

1. **The Initial Public Notification** regarding this matter did not reach all of the affected neighbors of the Egg Lake Quarry under MRLO consideration. Therefore, the limited public notice, "Neighboring Properties Requested Mineral Resource Land Overlay Designation" distributed by Adam Zack, Planner III, SJ Department of Community Development was defective and an updated notice needs to be sent out.
2. **Public Document Requests** made to SJ County on July 9, 2021, failed to be responded to until August 18, 2021. This delay in compliance has severely prejudiced the neighbors' ability to prepare and respond before the next MRLO hearing.

To Review, In accordance with the Public Records Act (PRA), Chapter 42.56 RCW, reference number **P004523-070921**

- a. Request: Initial request for "Williams Code Violations", reference number **P004523-070921**,  
**Dated: 7/9/2021**
- b. County Response 1: County response: "We reasonably believe that public records (if any) responsive to this request will be available **on or before 7/30/2021.**"  
**Dated: 7/16/2021**
- c. County Response 2: County response: "We have encountered a need to extend our time estimate and now anticipate having responsive records **available for your review by 8/6/2021.**"  
**Dated: 7/30/2021**

- d. **County Response 3:** “We have encountered a need to extend our time estimate and now anticipate having responsive records **available for your review by 8/18/2021.**”

**Dated: 8/6/2021**

- 3. **Cited Code Violations** on associated tax parcels in the Egg lake Quarry MRLO application have not been addressed by the County and mitigated by the landowner. The MRLO application should therefore be put on hold until all code violations have been properly resolved, taking into consideration recent modifications to the land. This information was part of our document request.

**STOP WORK ORDER:**

TPN: 363250023000

Date of Violations: June 6, 2021

Cited: Work Contrary of SJC Building and or Land Use Code: SJCC 18,100.030

Cited: Work Without a Permit

**Specific conditions cited:**

- a. **Condition 1:** At a minimum, a SEPA application or Stormwater application will be required to address the land disturbances resulting from clearing, grading, and fill that have occurred.

*As the County is aware, a prior permit is required to bring in the estimated 10,000+ yards of fill on any residential property. Considering the extreme land modifications, a NEW hydrology report will be required, as prior hydrology reports do not take into consideration the land modifications and damage done. Additionally, new hydrology and subsequent Stormwater application and a report would not be relevant unless inspected in the “rainy-wet “portion of the year from January to March minimally.*

- b. **Condition 2:** The property is considered Rural Farm Forrest. It therefore must not be used as an outdoor storage yard and or RV Park.

*At last count, there were visible from the public road 2 additional RV living/occupied units on the property, with an ADDITIONAL 13-15 vehicles parked in plain site on the property - including heavy equipment, with a number of vehicles in obvious non-drivable and eyesore condition. Additionally, there at currently 7 Industrial shipping containers on the property. Therefore, the excessive junk vehicles must be immediately removed.*

- c. Condition 3: Any and all retaining walls measuring 4 feet in height or over, measured from the lowest point of the base to the top of the structure require a permit that has not been filed.

*New retaining walls exist all around the property, with north-facing walls more than 4 feet in height requires a structural permit with sign-off by a civil engineer. This has not been done to date.*

- d. The Stop Work Order placed on T/P#: 363250023000 was put in effect on July 16, 2021. An appeal to this order must occur within 45 days or the order is final. In accordance with SJCC 18.100.090. Failure to comply with this order is a misdemeanor subject to fines levied.

*We have found no appeal to this order and request immediate enforcement. At a minimum, this parcel should be flagged as not eligible for any MRLO application.*

4. No certified engineering reports regarding stormwater/SEPA, run-off plans, soils, or surveys, or retaining wall, mining standards including shelving appear to have been done for the Egg Lake Quarry currently under MRLO consideration.

*We would request that a current certified geological/hydrology study be done on the quarry and its' practices, to determine compliance to all Washington state DNR and Mining rules and regulations, including San Juan County Code adherence. This owner has established a reckless abandonment of any reasonable code adherence. The County cannot accept an "I didn't know" approach, as the owner is in the business of mining and product delivery and ignorance is no defense with regard to the law.*

Please be advised that the impacted neighbors are being irreparably harmed and prejudiced by the intentional failure of the County to properly address the ongoing code violations as well as the County's ongoing delays in collecting timely relevant documents to the impacted neighbors before the upcoming MRLO hearing.

Therefore, it is respectfully requested that the MRLO hearing be taken off the calendar and put on hold until all requested documents have been collected and sent according to the document request. It is further requested that all pending code violations be immediately resolved before any further action on the Egg Lake Quarry MRLO application.

Should the County fail to address these concerns in a reasonable and timely manner before the next scheduled public hearing on the Egg Lake Quarry MRLO application, we will assume the County refuses to cooperate and we will take appropriate legal action.

Respectfully

Egg lake Quarry neighbors

Attn: Thomas Brumm

[Egg.lake.mrlo@gmail.com](mailto:Egg.lake.mrlo@gmail.com)

360-472-1633

106 Crestview Dr, F.H. WA 98250

**CERTIFIED MAIL**

**Egg lake / Crestview Neighbors  
MRL0 Comments**

106 Crestview Dr.  
Friday Harbor, WA 98250



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