

## Sophia Cassam

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**From:** ttbrumm@gmail.com  
**Sent:** Thursday, August 18, 2022 11:29 AM  
**To:** Comp Plan Update  
**Subject:** 8-19-2022, MRLO Application submitted by Egg Lake Quarry. LLC  
**Attachments:** eagle crest plat map 03LP003.pdf; SJC DCD-17-2022.pdf; zoning 7-9-2021.pdf; MRLO 10-1-2021 1.pdf; Notice of Public Hearing Aug 19 ELQ MRLO.pdf; SJC DCD complaint 9-9-2021 r2.pdf

**Importance:** High

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

**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)

08/17/2022

**RE: MRLO & County Comprehensive plan**  
**MRLO Application submitted by Egg Lake Quarry. LLC**

**TO: Community Development Committee Members**

Included as submissions, are previously submitted documents pointing out the conflicts that are on-going regarding the properties identified in the MRLO Overlay application by the Egg lake Quarry, LLC. While there are many ongoing issues with activities occurring on the 2 residential properties included in the MRLO application by Egg Lake Quarry, LLC, a very simple conclusion, and application ruling can be made with a quick review of the PLAT map #3, covering the 2 residential properties.

While there are limited restrictions to the Eagle Crest Sub-division, there is one that directly pertains to this application. Clearly stated in the second line of restrictions (highlighted in the included submissions)... ***“ALL LOTS AND TRACTS IN THIS PLAT SHALL BE USED FOR RESIDENTIAL PURPOSES ONLY”***.

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

### RESTRICTIONS

No permanent structure or building shall be constructed on any lot, tract or parcel of this plat which does not conform to the San Juan County Building regulations.

All lots or tracts in this plat shall be used for residential purposes only.

Tract B is reserved for future roadway purposes only.

Paragraph 2, covering minimum dimensions of single family residential lots, and Paragraph 4, covering Water Pollution and Paragraph 5, regulating Set-back lines, all under Section II; and Paragraph 1 of Section III covering Utility easements, all as set forth in the Regulations Governing Subdivisions, Resolution No. 55-1962, San Juan County, Washington, shall apply.

### DEDICATION

Know all men by these presents that we, the undersigned, owner in fee simple and contract purchaser of the land hereby platted, do hereby declare this plat to be known as EAGLE CREST, and designate Tract A as a Park Area and restrict its use to that purpose only; and dedicate to the use of the public forever all roads shown on this plat and the uses thereof for any and all public purposes.

Also the right to make all necessary slopes for cuts and fills upon the lots shown on the plat in the reasonable grading of all roads; also the right to drain all roads over and across any lots where the water might take a natural course after the roads are graded.

In witness whereof we have set our hands and seals this 27<sup>th</sup> day of December A.D. 1965.

Contract Purchaser

Owner in Fee Simple

*Mona R. Miller*  
Mona R. Miller

*James Scott Rhodes*  
James Scott Rhodes

### DESCRIPTION

Portions of the Southeast quarter and the East one-half of the Southwest quarter of Section 32, Township 36 North, Range 3 West W.M. and also portions of the west one-half of the Northeast quarter of Section 5, Township 35 North, Range 3 West W.M., described as follows:-

Beginning at the East Section Corner common to the above said Sections 32 and 5; thence along the East boundary of said Section 32 North(N.0°13'E) 815.0 feet; thence leaving said East boundary S.89°W. 160.0 feet; thence N.54°W. 170.0 feet; thence N.35° W. 100.0 feet; thence S.87°31'W. 276.2 feet; thence N.50°W. 300.0 feet; thence N.57°50'W; 113.6 feet; thence N.74°58'W.193.1 feet; thence N.57°W.670.0 feet; thence N.57°09'W. 230.0 feet; thence N.56°55'W. 209.9 feet; thence N.57°W. 340.0 feet; thence West 145.0 feet; thence S.89°54'W. 195.0 feet; thence S.45°W. 56.6 feet; thence West 58.0 feet; thence S. 2°59'E. 297.0 feet; thence S.0°11'E. 366.7 feet; thence S.40°37'E. 360.0 feet; thence S.36°11'E 730.0 feet; thence S.18°58'E. 320.0 feet; thence S.22°40'E. 245.9 feet to the P.C. of a curve to the left having a central angle of 13°40' and a radius of 864.5 feet; thence along said curve 206.13 feet to the P.T.; thence S.66°14'W. 81.3 feet to the P.C. of a curve to the left having a central angle of 11°04' and a radius of 1062.2 feet; thence along said curve 205.32 feet to the P.T.; thence S.55°10'W. 75.3 feet to the P.C. of a curve to the left having a central angle of 21°21' and a radius of 365.8 feet; thence along said curve 136.33 feet to the P.T. of a curve and also the P.C. of a curve to the left having a central angle of 18°05' and a radius of 427.8 feet; thence along said curve 135.05 feet to the P.T.; thence S.15°44'W. 91.9 feet; thence West 32.9 feet to the West boundary of the said Northeast quarter of Section 5; thence along said West boundary S.0°06'E. 436.2 feet to the centerline of the County Road; thence along said centerline S.52°57'E. 540.9 feet; thence S.54°57'E. 928.3 feet; thence S.48°05'E. 168.8 feet to the East boundary of the said West one-half of the Northeast quarter of Section 5; thence leaving the centerline of the County Road N.0°08'W. along the said East boundary 1974.6 feet to the North boundary of said Section 5; thence along said North boundary S.89°39'E. 1314.6 feet to the point of beginning; and EXCEPTING therefrom those portions thereof lying within the existing County Road.

### ACKNOWLEDGMENT

STATE OF WASHINGTON SS  
COUNTY OF KING

This is to certify that on this 27<sup>th</sup> day of December 1965, before me the undersigned, a Notary Public, personally appeared James Scott Rhodes to me known to be the individual who executed the within Dedication and acknowledged to me that he signed and sealed the same as his voluntary act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year first above written.



*Betty Davidson*  
Notary Public in and for the State of Washington  
Residing at Seattle, Washington

STATE OF WASHINGTON SS  
COUNTY OF KING

This is to certify that on this 27<sup>th</sup> day of December 1965, before me the undersigned, a Notary Public, personally appeared Mona R. Miller, an unmarried woman, to me known to be the individual who executed the within Dedication and acknowledged to me that she signed and sealed the same as her voluntary act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year first above written.



*Betty Davidson*  
Notary Public in and for the State of Washington  
Residing at Seattle, Washington

### TREASURER STATEMENT

I hereby certify that all taxes here-to-levied and which have become a lien upon the lands herein described have been fully paid and discharged according to the records of my office up to and including 1966.

*Margie S. Haswell*  
Treasurer, San Juan County

# EAGLE CREST

#### FILING

Filed at the request of *R.P. King* on this 27<sup>th</sup> day of *Jan* A.D. 1966, at 20 minutes past *two* P.M. and Recorded in Volume 3 of Plats, Page *20* Records of San Juan County, Washington.

FILE NO. *992*

*Margie S. Haswell*  
Treasurer, San Juan County

#### APPROVALS

COUNTY ENGINEER

Examined and approved this 13<sup>th</sup> day of *Jan* 1966.

*E.M. Graham*  
County Engineer

BOARD OF COUNTY COMMISSIONERS

Examined and approved this 14<sup>th</sup> day of *Jan* 1966.

*C. S. Thak*  
Chairman, Board of County Commissioners

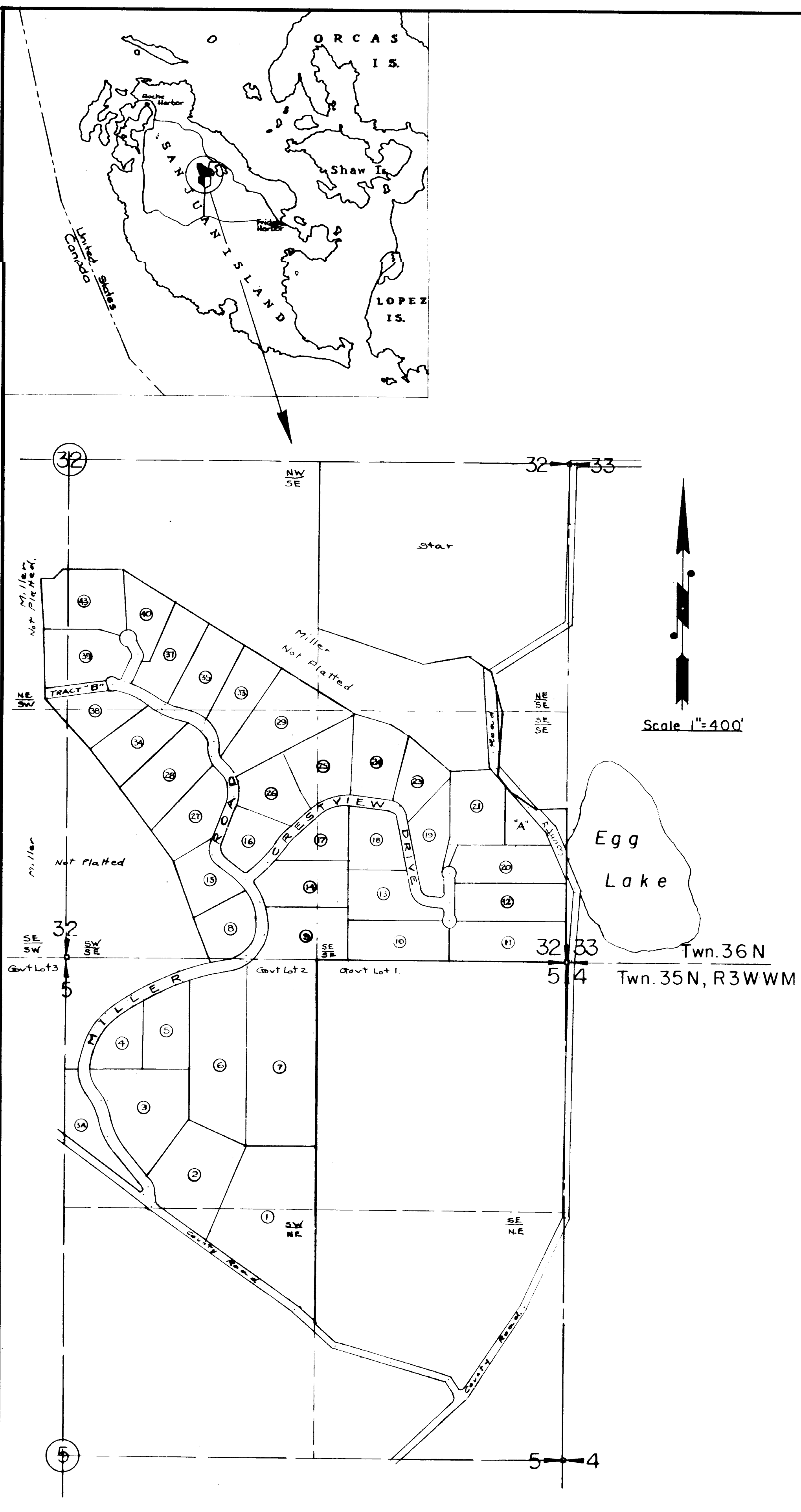
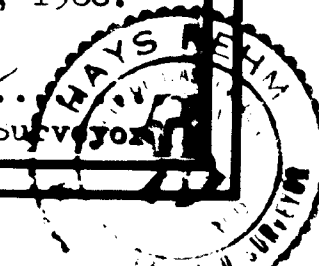
Attest: *Margie S. Haswell*  
Clerk of the Board

#### CERTIFICATION

I, HAYS RBHM, hereby certify that the annexed plat of EAGLE CREST was made from an actual survey; that the dimensions are as shown thereon in feet and decimals of feet; and the corners and monuments have been set as shown on the Plat.

Witness my hand and official seal this 12<sup>th</sup> day of January, 1966.

*Hays RBHM*  
Registered Land Surveyor



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)

08/17/2022

**RE: MRLO & County Comprehensive plan  
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**TO: Community Development Committee Members**

Included as submissions, are previously submitted documents pointing out the conflicts that are on-going regarding the properties identified in the MRLO Overlay application by the Egg lake Quarry, LLC. While there are many ongoing issues with activities occurring on the 2 residential properties included in the MRLO application by Egg Lake Quarry, LLC, a very simple conclusion, and application ruling can be made with a quick review of the PLAT map #3, covering the 2 residential properties.

While there are limited restrictions to the Eagle Crest Sub-division, there is one that directly pertains to this application. Clearly stated in the second line of restrictions (highlighted in the included submissions)... ***“ ALL LOTS AND TRACTS IN THIS PLAT SHALL BE USED FOR RESIDENTIAL PURPOSES ONLY”***.

As pointed out by the included submissions, there are many CODE Enforcement issues ongoing... none of which have been addressed by the San Juan County Code Enforcement officer to date. It would seem wholly inappropriate to extend, offer, or otherwise provide any code enforcement protections offered by the MRLO Overlay protections to these properties, and property and business owners.

Egg Lake Quarry, and its owner Myron Williams have done irreparable damage to our Crestview neighborhood already. The DCD should totally and immediately reject the application by Myron Williams and the Egg lake Quarry, LLC, as well as reject any further applications regarding any residential properties in the Eagle Crest sub-division.

For your review, below is just one the Code violation that has not been address and or mitigated.

**Tax Parcel Number:** 363250023000  
**Owner:** MYRON WILLIAMS  
**Address:**  
65 GILL LN  
FRIDAY HARBOR WA 98250-9614

**Short Legal Description:**  
EAGLE CREST LOT 23 Sec 32, T 36N, R 3W

07/08/2021

San Juan County Planning Commission  
Erika Shook, AICP, DCD Director  
Adam Zack, Planner III

RE: San Juan County Comprehensive Plan Element B.2 Land Use and Rural  
Mineral Resource Lands Overlay

Neighboring Property / Mineral Resource land Overlay Designation  
Mineral Resource Land Overlay and TPN 363244001000, Egg Lake Quarry

Mr. Zack / Ms. Shook:

While I am not intimately familiar with the other quarry on the list, I am VERY familiar with the operations of the Egg Lake Quarry. I am regularly confronted with the noise, operations all hours of day and night, weekday and weekend, holidays, over-charged blasting with no warnings and more. I have on-going/active land use complaints filed with James Finn of the San Juan code enforcement office. Here is an outtake to review:

- **3: Parcel: 363250023000, owner: Myron Williams, Location: ½ way down Crestview dr., north side of road.**

**This property was once a moderate residential property part of the Eagle Crest subdivision. It has now been transformed into some sort of industrial waste and storage site, with 7 day a week heavy equipment traffic. It is unclear what is going on, but whatever it is clearly visible from the road (Crestview Dr.). There have been hundreds of over-loaded dump loads delivered to the property over the course of months now. There is constant heavy equipment activity into the night virtually 7 days a week. The last offensive event was a hammer drill for hours on Memorial Day evening. There have to be multiple existing and on-going violations occurring and attention is required immediately.**

The parcel mentioned above is part of the Eagle Crest subdivision. Williams originally acquired the property after blasting the boundary/corners of the property off, and the previous owner thought it would be best to sell rather than deal with an extended legal battle. Fast forward to today... it went from a residential house in a residential neighborhood, to what can only be described as an industrial waste storage and dump site.

A quick review of the submission by Williams, appears to incorporate this property into the mining operations of Egg Lake Quarry. This property has not been any part of an ongoing mining operation, as is insinuated in the submission. Additionally, I have had previous discussions with the state mining board and there are many questions that relate to the quarry's compliance. However, attempting ANYONE to act upon those compliance issues has been extremely difficult. Issues such as water reclamation plans near wetlands/water, as well as simple shelving issues have been in question for many years.

Regarding the 2 adjacent properties: **TPN-363250023000 TPN-363250021000**

Williams asserts these are undeveloped and vacant land are incorrect. One of the identified properties has been an occupied residential property for many many years. The submission clearly represents fraudulent statements and on the surface the application should be summarily denied immediately.

As a adjoining/neighbor property owner, I am vigorously opposed to ANY change to ANY zoning relating to the EGG Lake Quarry. Williams has an established record of island wide non-compliance with multiple infractions of land use and more. The thought of quietly adjoining a new property into his mining operations is outrageous. We Eagle Crest homeowners expect you to protect our rights against this obvious residential land use abuse.

Thomas Brumm  
Catherine Kenney

*106 Crestview Dr  
Friday Harbor, WA 98250*

360-472-1633, cell/text

[ttbrumm@gmail.com](mailto:ttbrumm@gmail.com)

#### AMMENDMENT TO ZONING CHANGE FOR LISTED PROPERTIES

Per County records, Eagle Crest Long Plat Restrictions are found on the link below:

<https://apps.sanjuanco.com/auditor/recording/TempImages/94571777111015.pdf>

... “all lots or tracts in this plat shall be used of residential purposes only” ...

There should be no zoning change to the 2 adjacent properties to the Egg lake Quarry. These 2 lots are labeled:

Eagle Crest, Lot 21  
Eagle Crest, Lot 23

There should be no question on this matter.

Additionally, lot “A”, a Eagle Crest shared property, is already compromised by the quarry operations.

07/08/2021

San Juan County Planning Commission  
Erika Shook, AICP, DCD Director  
Adam Zack, Planner III

RE: San Juan County Comprehensive Plan Element B.2 Land Use and Rural  
Mineral Resource Lands Overlay

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Eagle Crest, Lot 23

There should be no question on this matter.

Additionally, lot “A”, a Eagle Crest shared property, is already compromised by the quarry operations.

(10/1/2021)

Re: Code Enforcement

James Finn:

Adam Zach:

DCD Committee:

DCD Council:

During San Juan County's DCD Committee meeting, Friday September 17, 2021, Code Enforcement concerns were front and center as they relate to the County's MRLO protections to be extended to a number of county wide quarries. Shockingly, Adam Zach was unaware of the status of existing code violations that exist and are in place on properties included in the original MRLO application by the Egg Lake Quarry.

I have included pictures for review, as it is apparent Committee and Council members have not visited the residential parcels Williams (Egg Lake Quarry) has permanently scared and damaged... with code violation enforcement all but non-existent.



*This is the street view of the property in question from the street, owned by the applicant Williams.*

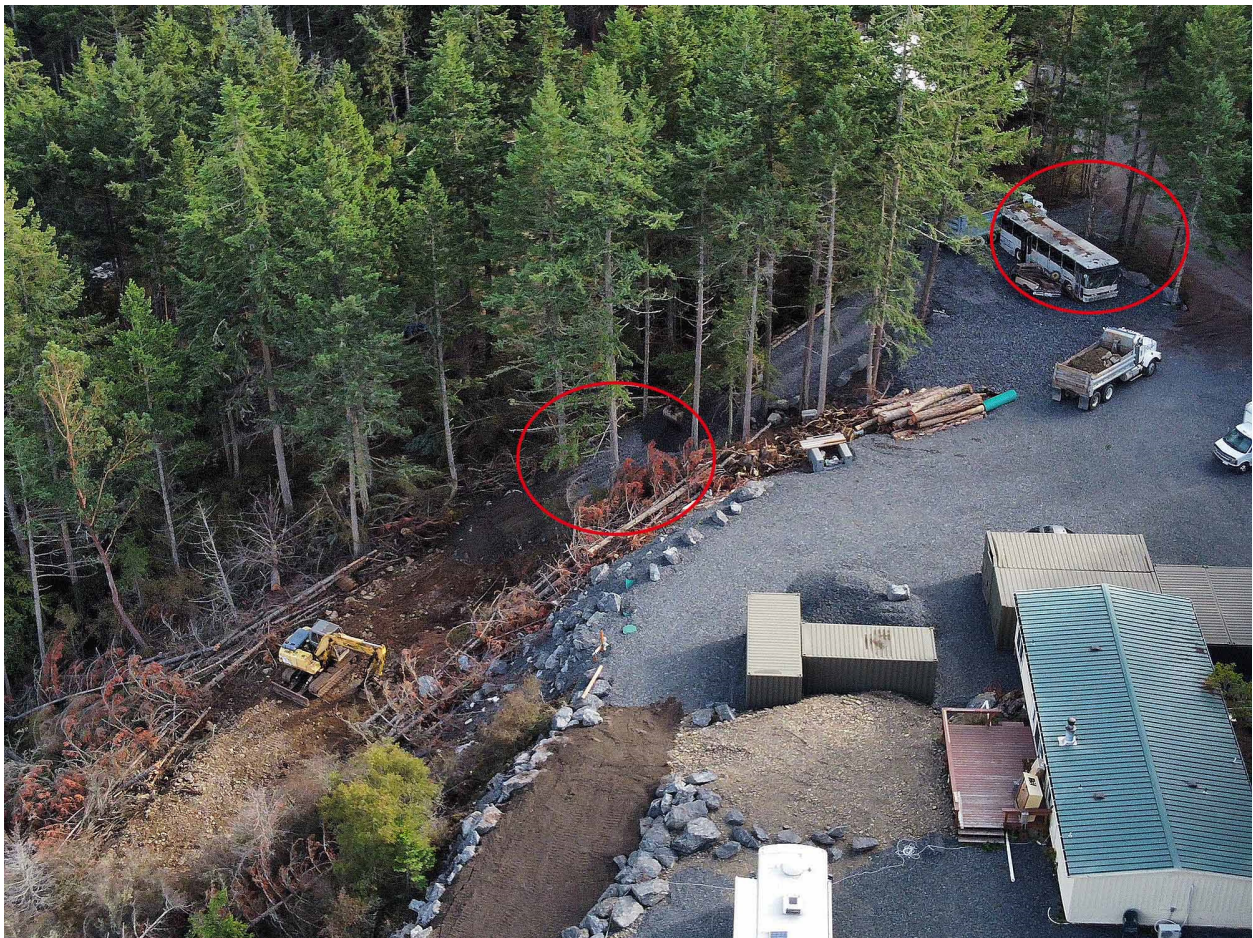
The original application submitted to San Juan County by Egg Lake Quarry and Myron Williams seeking MRLO protections, mis-characterized (but included) 2 residential parcels in addition the actual Egg lake Quarry parcel. The DCD has been made aware of multiple complaints as it pertains to this application. In questioning by the DCD of Adam Zach regarding those complaints, Zach stated that while

numerous neighbor complaints pointed to possible code violations, it was unclear that any violations had occurred.

The attached STOP WORK ORDER clearly points out that neighbor complaints were neither frivolous or fictitious complaints by disgruntled neighbors. The STOP WORK ORDER points to specific SNJ code violations that require actions to correct said violations. At last check, no remediation, professional inspections and subsequent actions have taken place to meet the requirements of the STOP WORK ORDER... and yet work on the parcel continues by the owner, Myron Williams, owner of Egg lake Quarry... 7 days a week, at all hours of the day and night.

Below is a recent photograph of the parcel owned by Williams, listed in the original MRLO application. In communications between Williams and James Finn, SJ County Code Enforcement Officer, permits were not originally applied for or in hand PRIOR to commencing substantial work on the property.

A conservative estimate of 15,000 to 20,000 yards of materials has been placed to date, with about 300-600 yards placed AFTER the STOP WORK ORDER was issued. That equates to about 1,500 x 10 yard truck loads. At 10 loads a day, 7 days a week, that is over 21 weeks of SOLID truck traffic... close to 6 months of industrial traffic, 10 trucks a day in one direction, 20 truck passes down Egg lake road and Crestview drive.... Non -Stop. The pictures below clearly show the radical transformation of a rural farm residential parcel, to an industrial storage facility.



*This is an over view of the parcel with on-going STOP WORK ORDER included here.*

To work around the in-place STOP WORK ORDER, we're told a Public Works ROW permit was issued, allowing Williams to work on an alternative driveway location... red circle to the right. Williams points to all sorts of State requirements for access roads to high side of the quarry wall. Clearly this work far exceeds any Public Works ROW permit. However, it is all but impossible to get any confirmation and or clarification by State agencies supporting such claims, with NO County officials confirming and or willing to enforce these claims.



*This is an overview of the Egg lake Quarry and the residential parcel noted here.*

This is pertinent to the discussion, because Dale Roundly specifically was concerned about extending the protections that the MRLO blanket would provide to quarries and quarry owners. Paraphrasing Roundly's point in questioning Zach was... "...why extend protections, when that applicant does not follow code to begin with...". What is clearly documented here, demonstrates Williams is clear and consistent code violator, often operating in a "beg for forgiveness" approach to code compliance.

The DCD Committee and Council should ask the question of the County Code Enforcement officer, "Does County Code Mean Anything"? The above pictures make it very clear what is going on. Below, to the top is the existing Egg Lake Quarry. To the Bottom of the picture is what was once a quiet residential parcel located on Crestview Drive. A casual observer would not be able to draw a distinction between the two parcels. In fact the natural conclusion is that it is all one big commercial/industrial site.

During the 9/17/2021 DCD Committee meeting, David Kane's assertion that in his opinion, the rock from Egg lake Quarry was of good quality is TOTALLY IRRELEVANT AND OUT OF PLACE. He has no credentials to make any such assertion. More importantly, in making such a statement, it imparts a specific bias on the committee. While he did recuse himself from the vote at hand that particular day, it is clear he should recuse himself from any further votes on the matter.

The Committee should be recommending whether or not, specific MRLO applications should be recommended to the Council based on input from the community... to include neighbor input, owner/operator code compliance, past operational history and more.

The MRLO overlay is to provide protections from nuisance claims against a quarry. When it is demonstrated that an owner/operator is a clear code violator and rule breaker, the claims extend beyond nuisance claims, to REAL community code and standards infringements. The resulting conclusion should be without a doubt in this particular case, that the application for the entire Egg lake Quarry should not be moved forward and recommended to the DCD Council for any further consideration. The removal of the 2 residential properties voted on was only a start to that denial of recommendation.

Below is the STOP WORK ORDER spelled out clearly for the members. Quick reference to the included pictures demonstrates NOTHING has been done to meet the requirements of the STOP WORK ORDER.

1. **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.*

2. [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.*

NOTE:

Per the DCD document:

<https://www.sanjuanco.com/DocumentCenter/View/23413/July-2-2021-Staff-Memo-re-Mineral-Resource-Land-Overlay-for-Planning-Commission-July-16-2021?bidId=>

The applicant named in the Comprehensive Plan map Amendment Application on page 49, is "Egg lake Quarry, LLC".

As noted below, Egg Lake Quarry, LLC does not have an active contractor license registered with the State of Washington Labor & Industries as of 9-30-2021.

The screenshot shows the Washington State Department of Labor & Industries website. The header includes the department logo, navigation links for Home, My L&I: Sign In, and a search bar. Below the header is a menu with categories: Safety & Health, Claims, Patient Care, Insurance, Workers' Rights, and Licensing & Permits. The main content area is titled "Contractors" and displays "Search Results" for "Verify a Contractor, Tradesperson or Business". The search criteria are "Name" and "egg lake quarry". The results show 1009 items, with the first result being "EGG LAKE QUARRY LLC" from Friday Harbor, WA. The license status is "Inactive" and the workers' compensation status is "View details".

Washington State Department of Labor & Industries

Home My L&I: Sign In Search L&I

Safety & Health Claims Patient Care Insurance Workers' Rights **Licensing & Permits**

Home > Licensing & Permits >

## Contractors

### Search Results

Verify a Contractor, Tradesperson or Business

**Narrow your results:**

- All results (1009)
- Only construction companies and tradespeople (23)
- Construction companies (16)
- Electrical (7)
- Plumbing (0)
- Elevators (0)

Name: egg lake quarry

Show: 10 items Showing 1-10 of 1009 results Sort by: Best match

< Prev 1 2 3 4 5 6 7 8 9 10 Next >

**EGG LAKE QUARRY LLC** FRIDAY HARBOR, WA

Lic no. License: Inactive Workers' comp: View details

The list of contrary, conflicting and or negative issues pertaining to the Egg lake Quarry application for MRLO consideration grow and expand daily with access to new and evolving data provided by County and State agencies. It is obvious to even a casual observer of the facts, the recommendation for this specific MRLO application should not be put forward to the DCD Council.

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 application in total be taken off the calendar and removed from further consideration. It is further requested that all pending code violations be immediately resolved before any further action on the Egg Lake Quarry MRLO application.

Respectfully:  
Egg Lake Neighbors

Attn:  
Thomas Brumm  
*106 Crestview Dr*  
*Friday Harbor, WA 98250*

360-472-1633, cell/text

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

**Public Hearing Date: Friday, August 19, 2022**

**Location: 55 2nd St. N, Friday Harbor, WA 98250**

**Legislative Hearing Room AND Online**

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**APPLICATION #:** MRLO Egg Lake Quarry, LLC

**TAX PARCEL(S):** 363244001000  
363250021000  
363250023000

**APPLICANT NAME:** Egg Lake Quarry, LLC

**APPLICANT ADDRESS:** 65 Gill Lane  
Friday Harbor, WA 98250

**DATE OF APPLICATION:** August, 2020

**PROPOSAL DESCRIPTION:** Apply Mineral Resource Overlay Zone to three parcels comprised of 14.91 acres to recognize historic use of the quarry for mining purposes and for future mining purposes.

**For more information visit:**

**[www.sanjuanco.com/1079/Comprehensive-Plan-Update](http://www.sanjuanco.com/1079/Comprehensive-Plan-Update)**

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

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09/07/2021

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

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

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

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