

September 15, 2022

San Juan County Planning Commission

San Juan County Department of Community Development
135 Rhone Street, Friday Harbor, WA 98250

RE: 2036 Comprehensive Plan Update public CONTINUED hearing: September 16 specifically for Official Maps

Dear San Juan County Planning Commission:

Please see our updates in [blue](#).

We are the owners of TPN 363242004000 which is an adjoining parcel to the Egg Lake Quarry, LLC (ELQ going forward) location at 65 Gill Ln., TPN 363250021000.

We strongly **oppose** designation under the Mineral Resource Lands Overlay (MRLO) for all **ELQ** parcels in the proposed Map 2. The owner, **Myron Williams**, does not respect Federal, State, or County laws.

We strongly feel **ELQ** does not meet the criteria for making changes to the Plan Official Maps as established in SJCC 18.90.030(F)(1), in sub-section *a*. *The changes would **benefit** the public health, **safety**, or welfare.*

ELQ annually **had demonstrated safety violations** as governed by the US **Federal [Mine Safety and Health Administration](#)** (MSHA). The most significant violations occurred during the 2021 inspections with fines amounting to a shy \$11,000 with all delinquent less \$311. **Update: it is the **ENORMITY** of this fine that justifies our opposition to MRLO designation for ELQ. The ELQ operation clearly exhibits a safety risk to the neighbors and we cannot have our complaints suppressed. Moreover, nor does a rogue business deserve privileged treatment. Lastly, the June 2021 fines (\$11K) remain delinquent. The sheer refusal to pay Federal fines for over a full year plus again supports our opposition for the county to grant ELQ the privileged status of MRLO.**

ELQ has repeatedly ignored WA **State** laws on ecology reporting as documented by Jaime and Rex Ellsworth and submitted to CompPlanComments@sanjuanco.com.

More documented penalties: <https://ecology.wa.gov/About-us/Who-we-are/News/2020/May-12-1st-quarter-penalties>. See page 4 for more details.

ELQ has monthly demonstrated non-compliance to SJI **County code** rules to NOT operate the quarry on the **weekend**. We have personally submitted many noise complaints online to the county (no enforcement). See 18.40.350 Resource-based activities and facilities, surface mining, quarrying, and reclamation, sub-section F. All extraction and reclamation activities that create a noise disturbance must take place between 7:00 a.m. and 7:00 p.m. on **weekdays**.

We thank you in advance for allowing the neighbors of **ELQ** to have the continued protection to file nuisance claims given Myron Williams' lack of respect for the law (federal, state, county) and public safety.

Respectively your SJC Island Citizens,

Rick Oettinger and Nina Connally

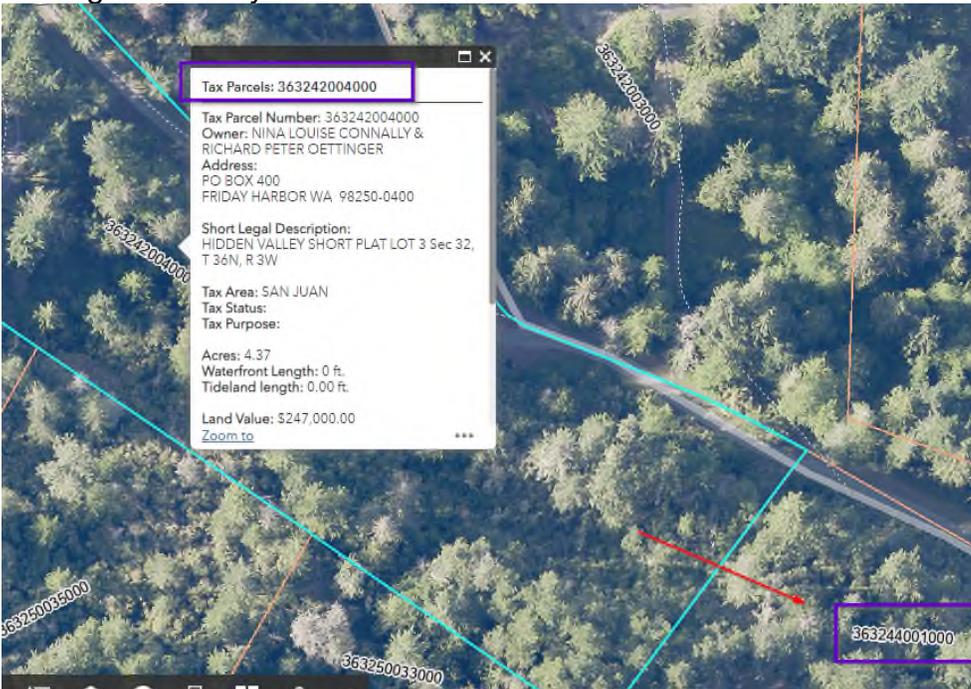
Richard Oettinger and Nina Connally

Map visuals:

Map 2. Proposed MRLO area on TPNs 363244001000, 363250021000, and 363250023000.



Oettinger/Connally Parcel:



ELQ 2021 MSHA SIGNIFICANT violations and delinquent payments to pay for penalties:

<https://www.msha.gov/mine-data-retrieval-system>

Violations Report															
Mine ID	Violator Name-	Contractor ID	Citation / Order No.	Case No.	Date Issued	Final Order Date	Section of Act	Date Term.	S & S	Standard	Citation / Order	C / O Status	Proposed Penalty (\$)	Current Penalty (\$)	Amt. Paid (\$)
4503350	Williams Enterprises	--	9616236	--	08/04/21	--	104(b)	08/19/21	--	56.14107(a)	O	Not Assessed Yet	0	0	0
4503350	Williams Enterprises	--	9616219	000541244	07/29/21	11/02/21	104(a)	08/04/21	N	56.14132(a)	C	Delinquent	279	279	0
4503350	Williams Enterprises	--	9616216	000541244	07/28/21	11/02/21	104(a)	--	N	56.14107(a)	C	Delinquent	1,667	1,667	0
4503350	Williams Enterprises	--	9616217	000541244	07/28/21	11/02/21	104(a)	08/04/21	Y	56.14107(a)	C	Delinquent	7,427	7,427	331
4503350	Williams Enterprises	--	9616218	000541244	07/28/21	11/02/21	104(a)	07/29/21	N	56.4201(a)(1)	C	Delinquent	136	136	0
4503350	Williams Enterprises	--	9616220	000541244	07/28/21	11/02/21	104(a)	08/04/21	N	56.14100(b)	C	Delinquent	453	453	0
4503350	Williams Enterprises	--	9616221	000541244	07/28/21	11/02/21	104(a)	08/04/21	N	56.14132(a)	C	Delinquent	453	453	0
4503350	Williams Enterprises	--	9616222	000541244	07/28/21	11/02/21	104(a)	07/29/21	N	56.11012	C	Delinquent	136	136	0
4503350	Williams Enterprises	--	9616223	000541244	07/28/21	11/02/21	104(a)	07/29/21	N	56.4201(a)(2)	C	Delinquent	136	136	0

Total: \$10,867

ST of WA Department of Ecology

<https://ecology.wa.gov/About-us/Who-we-are/News/2020/May-12-1st-quarter-penalties>

The Washington Department of Ecology issued \$1,035,200 in penalties of \$1,000 or more in the first three months of 2020. A detailed list of the violations and resulting penalties appears in the table below.

Ecology works with thousands of businesses and individuals to help them comply with state laws. Ecology issues penalties in cases where **non-compliance continues** after providing warnings or technical assistance, or for particularly serious violations.

The money owed from penalties may be reduced from the issued amount due to settlement or court rulings. Funds collected go to the state's general fund or to dedicated pollution prevention accounts.

Ecology strives to protect, preserve and enhance Washington's environment and promote wise management for current and future generations. When someone pollutes Washington's land, air or waters, Ecology enforces state and federal regulations in hopes of changing behavior and deterring future violations.

San Juan	Friday Harbor	2/26/2020	Egg Lake Quarry	Did not submit quarterly water quality discharge monitoring reports in all 4 quarters of 2019, and did not respond to a notice of violation issued on Nov. 26, 2019.	\$2,000	Larry Altose 425-649-7009
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