



SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

135 Rhone Street, PO Box 947, Friday Harbor, WA 98250
(360) 378-2354 | (360) 378-2116
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DATE RECEIVED

Comprehensive Plan Text/SJC Code\* Amendment Request

\*San Juan County Code Titles 15, 16 & 18
(Annual Docket)

APPLICANT INFORMATION:
Name of Applicant: Nina Connally and Richard Oettinger
Address: 249 Gill Lane
City, State, Zip: Friday Harbor, WA 98250
Phone: 360-298-2122 (Nina)
Email: nina8.connally@gmail.com

This request is for a text amendment to the Comprehensive Plan or development regulations, not a comprehensive plan map amendment. I understand that this request will be reviewed according to the County's annual docket process.

Handwritten signature of Nina L Connally

Nina L Connally

2/26/2023

Signature

Printed Name

Date

Handwritten signature of Richard Oettinger

Richard Oettinger

2/26/2023

Signature

Printed Name

Date

Please Describe the Proposed Amendments (attach additional pages if you need more space):

- 1. Comprehensive Plan amendments (if applicable). Describe proposed amendment and/or attach proposed text changes. List Comprehensive plan section, page numbers, title and policies proposed for amendment.

See this link: https://www.sanjuanco.com/1079/Comprehensive-Plan-Update

Go to: Section B, Elements ->

https://www.sanjuanco.com/DocumentCenter/View/27604/Section-B\_Ele\_2\_Land\_Use\_12-12-2022\_CLEAN ->

Located in: Section B, Element 2. Land Use and Rural Page 34 of 61

c. Mineral Resource Lands

Goal

Assure that mineral resource lands of long-term commercial significance are conserved in order to provide continued and economical local access to valuable minerals, particularly those used for construction materials.



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## Policies

(1) Upon application by a landowner, lands which are characterized by all of the following criteria may be designated as a Mineral Resource Land Overlay District (MRLO) on the Plan Official Maps:

- i. Have a known or potential extractable resource in commercial quantities verified by submittal of a geologic and economic report prepared by a qualified professional ~~or the land has a legally established mining operation, and the County Council adopts findings that the land has commercial significance for mineral resources;~~

2. San Juan County Code Title 15, Title 16 or Title 18 amendments (if applicable). Describe proposed amendment and/or attach proposed text changes. List code sections proposed for amendment.

MRLO Designation Criteria

Code Amendment: **SJCC 18.35.015(A)(1)**

**A. Designation Procedures.** A mineral resource land overlay district may be applied based upon the following criteria, only upon acceptance by the County of a complete application from a property owner and upon approval of a redesignation in accordance with SJCC 18.90.030. Mineral resource lands of long-term commercial significance are those lands from which the commercial extraction of minerals (sand, gravel, rock, and other valuable aggregate or metallic substances) can be anticipated within 20 years and which are characterized by all of the following:

1. **Have a known or potential extractable resource in commercial quantities verified by submittal of a geologic and economic report prepared by a qualified professional** ~~or the land has a legally established mining operation, and the County Council adopts findings that the land has commercial significance for mineral resources;~~

3. Why is the amendment being proposed?

Because the MRLO designation of a given mineral resource land has long-term and high-impact consequences to be endured by its neighboring citizen parcel owners, the San Juan County (SJC) Planning Commission, Department of Community Development, and County Council (hereinafter referred to as the county) have a civic duty to instate hard due diligence into the MRLO designation process to ensure mineral resource lands will have significant and long-term commercial mineral extraction life.

The changing of the MRLO designation criteria to add a non-scientific assessment option that relies on the County Council to merely adopt historic “findings” per below is not acceptable to the neighboring citizens. The County Council is not qualified nor has the time to perform the proper due diligence for the task. And again, due to the permanence of a MRLO designation, the neighboring citizens respectively request the county to require **present-day scientific proof** substantiating the land has commercial long-term significance for mineral resources.

In closing, we respectfully request that the county amend and return the MRLO Designation Criteria Code Amendment, SJCC 18.35.015(A)(1) to have only the rigorously fair and scientific criterion for MRLO designation as outlined below:

MRLO Designation Criteria

Code Amendment: SJCC 18.35.015(A)(1)

A. Designation Procedures. A mineral resource land overlay district may be applied based upon the following criteria, only upon acceptance by the County of a complete application from a property owner and upon approval of a redesignation in accordance with SJCC 18.90.030. Mineral resource lands of long-term commercial significance are those lands from which the commercial extraction of minerals (sand, gravel, rock, and other valuable aggregate or metallic substances) can be anticipated within 20 years and which are characterized by all of the following:

**1. Have a known or potential extractable resource in commercial quantities verified by submittal of a geologic and economic report prepared by a qualified professional** ~~or the land has a legally established mining operation, and the County Council adopts findings that the land has commercial significance for mineral resources;~~

4. How is the proposed amendment consistent with the Growth Management Act (RCW 36.70A), Comprehensive Plan and development regulations?

Our proposed amendment is consistent with the Washington State Growth Management Act (**GMA**) because the essence of the GMA enables local control with continuous public participation. As local citizens of San Juan County who own parcels next to a mineral resource land, we need the code that governs its designation procedures have the utmost due diligence that ensures long-term commercial significance.

5. Does this proposal impact an Urban Growth Area (UGA)? Lopez Village, Eastsound and the Town of Friday Harbor are the only UGAs in the County.

- Yes, indicate UGA \_\_\_\_\_
- No

6. Does this proposal increase population or employment capacity?

Yes, if the mineral resource land is **proven** to have long-term commercial significance (which the current code defines as at least 20 years), then there exists a direct and positive outcome for long-term increased employment capacity.