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Local News: Saturday, January 22, 2005

Maury Island gravel-mine expansion likely to be put on hold

By **Craig Welch**
Seattle Times staff reporter

Expansion of a controversial gravel-mine operation on **Maury Island** likely will be put off for at least another year after a judge yesterday indicated she would probably halt King County from issuing necessary permits.

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The county was expected to grant Glacier Northwest a shoreline permit next week to replace a conveyor belt and build a dock on **Maury Island** that would be used to ferry millions of tons of gravel by barge to the mainland.

While several other permits also were needed, Glacier Northwest had been expected to be able by August to begin construction of a project that has inflamed neighbors and environmentalists for more than eight years.

But after a brief hearing yesterday, King County Superior Court Judge Sharon Armstrong said she expected to grant a request by **Maury Island** residents to delay the permits until an appeals court has a chance to consider the case.

"I will most likely be granting the stay," said Armstrong, explaining that she wanted to do so in a written letter.

The appeals process is expected to take several months, which would force the company to miss its summer construction window.

A group of **island** residents has complained that the project could potentially pollute their aquifer, harm salmon habitat and industrialize a rural neighborhood and shoreline now considered an aquatic reserve. They took Armstrong's comment as a victory.

"It buys us some time, and it means they can't go out and mess that up any worse than it is now," said Marnie Jones, a spokeswoman for the residents' Preserve Our Islands.

But attorneys for Glacier, who argued a stay could cost them \$5 million in construction delays and lost business opportunities, said they would wait to see precisely how Armstrong rules.

"She may grant a stay, she may not. It just depends," said Seattle attorney Bill Cronin, who represents Glacier. "She may grant a stay that's limited in some way. She hasn't made up her mind."

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The proposed project has been a political hot button for several years on the **island**, which is linked to Vashon **Island** by a slender stem.

Glacier Northwest, formerly called Lone Star, has long sought to expand a small gravel mine to one that would haul out anywhere from 1.5 million to 7.5 million tons of rock a year from a 235-acre site on the island's eastern edge.

In recent years, the existing operation has mined roughly 10,000 tons of gravel a year.

Last spring, King County denied shoreline permits for the project, a decision Cronin called "politically motivated." Last summer, after an eight-day hearing, the state shorelines hearings board reversed the county, arguing that the project could go forth, provided Glacier met specific environmental conditions.

Yesterday, John Arum, an attorney representing the neighbors, argued before Armstrong that if she didn't stay that decision until an appeals court reconsidered the hearings-board decision, the project would be almost impossible to stop if the courts ruled it should be halted.

"Their strategy, it seems to me, is to try to get the dock built before somebody stops them," Arum said.

Cronin, meanwhile, argued that a stay was unnecessary because the permits, by themselves, wouldn't harm the neighbors.

Construction still must wait for additional permits from other state and federal agencies.

Craig Welch: 206-464-2093 or cwelch@seattletimes.com

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