

FOR IMMEDIATE RELEASE: **February 28, 2020**

Contact:

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**JUDGE ISSUES INJUNCTION AGAINST WAKE STONE CORPORATION, CONFIRMS MERIT IN  
UMSTEAD COALITION'S AND TORC'S CONTENTIONS THAT THE RDU AIRPORT AUTHORITY  
HAS FAILED TO FOLLOW FEDERAL REGULATIONS AND NC STATE LAW**

RALEIGH, NC:

Judge Shirley signed an Injunction on February 28, 2020 that prohibits Wake Stone Corporation from extracting rock from the Odd Fellows Tract until June 2022. The injunction also confirms that a Mining Permit would be required before any site clearing, bridge construction, or other mining activities (except exploratory for permit application) can occur on the site. There is no mining permit application yet submitted for this site.

Plaintiffs filed an appeal on Wednesday, December 4, 2019 asking to overturn a recent Wake County Superior Court judge's ruling stating that the Raleigh Durham Airport Authority (RDUAA) did not exceed its authority under state law when it granted Wake Stone Corporation rights to mine a new quarry on airport land. We strongly disagree and believe RDUAA exceeded its authority by not first obtaining the approval of the four local government deeded owners.

"The fight is just beginning," said Dr. Jean Spooner, Chair of The Umstead Coalition. "The proposed quarry represents a real threat to the priceless asset we have in Umstead State Park. We will continue the fight on appeal. We remain willing to be partners in much better alternatives that would preserve the Odd Fellows Tract, protect Umstead State Park, and provide the RDU Airport with more long-term, sustainable income streams.

Destroying the Odd Fellows tract jeopardizes that opportunity. Valid offers and letters of interest from the Conservation Fund and NC State Parks, for purchase and preservation have been dismissed. RDUAA incorrectly claims FAA regulations prevent such sales\*.

"Litigation is only one means by which we can fix this mistake," said David Anderson, Board member of the Triangle Off-Road Cyclists (TORC). "I'm thrilled by the broad-based support for protecting Umstead State Park, and want to encourage people to stick with this effort as we push for a better alternative that doesn't place a new quarry pit on the park border."

Opponents to the quarry argue that that RDUAA violated General Statute §63-56(f), which states that the RDUAA must obtain approval of its governing bodies before disposing of property "by sale, or otherwise" that will not be used for aeronautical purposes (see Editor's Note).

### **About the Umstead Coalition:**

The Umstead Coalition has been working since 1972 to support and protect William B. Umstead State Park through fundraising, sponsorship of volunteer activities, and oversight of environmental and legal protections. For more information, visit <https://umsteadcoalition.org>.

### **About Triangle Off-Road Cyclists (TORC)**

Triangle Off-Road Cyclists (TORC) is a volunteer organization dedicated to ensuring the future of mountain biking in the Triangle area of North Carolina through the promotion of responsible riding, establishment and maintenance of mountain biking trails, and preservation of North Carolina's natural resources. TORC works with Wake County to maintain and enhance the single-track trails at Lake Crabtree County Park. For more information, visit <http://torc-nc.org>

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**EDITOR'S NOTE\***: N.C. General Statute §63-56(f) states: "...No real property and no airport, other air navigation facility, or air protection privilege, owned jointly, shall be disposed of by the board, by sale, or otherwise, except by authority of the appointed governing bodies, but the board may lease space, area or improvements and grant concessions on airports for aeronautical purposes or purposes incidental thereto."

\*<https://umsteadcoalition.org/resources/Documents/Airport/FAA-Response-2017-09-11.pdf>