

## **FOR IMMEDIATE RELEASE**

March 12, 2019

**Raleigh, NC**

### **Complaint and Motion for Temporary Restraining Order Filed Today**

#### **Motion for Preliminary Injunction against the Raleigh-Durham Airport Authority (RDUAA) and Wake Stone Corporation (WSC) from Quarry Activities**

The Umstead Coalition, Tamara and Randal Dunn, Triangle Off-Road Cyclists (TORC), William Doucette, (Plaintiffs) filed today in Wake County Superior Court a Complaint for Declaratory Judgment and Injunctive Relief seeking a temporary restraining order to enjoin the Raleigh-Durham Airport Authority (RDUAA) and Wake Stone Corporation (WSC) from commencing quarry activities on the 105-acre tract (Property) which RDUAA has agreed to lease to WSC.

The Property was acquired in the 1970s for an airport runway which was never constructed. The Property is adjacent to William B. Umstead State Park and the Umstead Coalition has sought to acquire the Property for Park purposes.

The legal action to be filed is in response to RDUAA's approval and execution of the long-term lease on March 1, 2019 in conflict with State law and Federal regulations.

Following lease execution, construction activities were immediately commenced in furtherance of the quarry. Such activities include grading, tree cutting, road construction, and placement of gravel. Wake Stone trucks were observed on the Property repeatedly last week. In addition, Wake Stone has notified NC DEQ of their intent to perform exploratory drilling. Plaintiffs have asked that the Court suspend all quarry related activities until this matter is resolved on its merits.

Under State law, any disposition of airport property for non-aeronautical purposes must be approved by the four owning municipalities (Raleigh, Durham, Wake County and Durham County).

In addition, in order for RDUAA to properly enter into a long-term lease for non-aeronautical purposes under Federal regulations, it must obtain a release of the Property from the Federal Aviation Agency. Such a release must be requested by the Airport Sponsor, which is comprised of the four municipalities which established and own the RDU Airport (the Cities of Raleigh and Durham; the Counties of Wake and Durham). According to FAA as of the date of lease approval and execution, no release had been requested or granted.

The complaint to be filed today requests that the Court declare the Lease invalid and require RDUAA to follow State and Federal law in the disposition of the Property. It is the hope and expectation of the Umstead Coalition and other Plaintiffs that the four owning municipal governments will carefully consider any request to approve a sale or lease of the Property and allow for a public debate on the proper disposition of this Property.

Allowing a rock quarry on public lands in North Carolina is a dangerous precedent which merits full input from the community and the land owners. Dave Anderson representing TORC says "we should take a pause and make sure we get this right, given the irreversible path and the concern expressed by local governments and the public."

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**For more information, or to set up an interview, please contact:**

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