

# Airport: Group's suit should be thrown out

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ROCKFORD – The Natural Land Institute has until Jan. 19 to answer why its lawsuit against the Greater Rockford Airport Authority should not be thrown out.

According to court records, the airport filed a motion to dismiss the case on Dec. 17, claiming that the institute has no legal standing in its effort to stop the airport from building a road that will cross the Bell Bowl Prairie, a rare piece of gravel prairie owned by the airport that institute is trying to protect.

“NLI, and its members that NLI claims will be injured by the development, simply have no cognizable injury under the law and, even if they did, the alleged injury could not be redressed in this action,” the motion states. “The land at issue is owned exclusively by GRAA and is not a public park or otherwise accessible to the public. NLI and its members have no right to be on the property and thus can claim no injury resulting from the development of the land or any impact to the prairie.”

Kerry Leigh, the Natural Land Institute's executive director, said the airport's latest move comes as no surprise.

“They filed the motion saying we don't have standing because they don't have anything else,” Leigh said. The institute's legal team is preparing to argue that the institute does have legal grounds to sue because it acted as a steward for the prairie for more than 40 years.

“We did land management out there for decades,” she said.

The legal battle between the insti-

## Dismiss

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tute and the airport started on Oct. 26. That was when the institute filed a federal complaint against the airport claiming it the airport was failing to protect the prairie and its endangered or threatened animals, plants and insects, such as the rusty patched bumble bee.

The suit aims to keep the airport's \$50 million expansion project stalled until a plan that spares the prairie is drafted. Work is scheduled to resume March 1.

The U.S. Department of Transportation, U.S. Department of the Interior, Federal Aviation Administration, and the U.S. Fish and Wildlife Service are named in the lawsuit.

The institute claims the agencies vi-

olated the National Environmental Policy Act by allowing the project to commence.

The federal government has until Jan. 31 to respond to the lawsuit.

“They were requesting an additional 60 days to respond, which would take them to Feb. 28, which is the eve of the March 1 deadline,” Leigh said. “We objected to that. So, the court gave them one extra month rather than two.”

The expansion project's 90,000 square-foot cargo center opened in June. A 100,000 square-foot facility and the service road are expected to be completed next year.

Leigh said the prairie could be preserved if the airport redesigned the strip of Cessna Drive that leads to an AAR maintenance center instead of building the new road. Airport officials say Cessna Drive is on its way out.

*Jim Hagerty is a freelance correspondent.*