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## EAST VALLEY WATER DISTRICT FILES LAWSUIT AGAINST INLAND VALLEY DEVELOPMENT AGENCY

**Highland, Calif., (October 29, 2013)** – Today, Tuesday, October 29, 2013, East Valley Water District (“EVWD”) filed suit in the Superior Court of the State of California, San Bernardino County, challenging the Inland Valley Development Agency’s (“IVDA”) continuing imposition of an avigation, or overflight, easement across property owned by EVWD, and proximate to the end of Runway 3 at San Bernardino International Airport (“SBIA”). EVWD’s action is brought on the ground that construction of a fuel farm and general aviation service facility at the end of Runway 3 caused the abandonment of the avigation easement, and eliminated the restrictions on IDVA’s property which the easement imposes.

“As public agencies, EVWD and the IVDA have been established as stewards and leaders of this community,” said Chairman Matt LeVesque. “This easement is limiting the ability for new construction; impeding a business’s ability to set-up shop at this location and contribute to the success of our local economy.”

The dispute arises because, in 1951, the Federal Government established development restrictions through avigation easements in the Runway Protection Zones (“RPZ”) (areas off the end of the runway the federal government mandates to keep clear for the protection of people and property on the ground) for the operation of the former Norton Air Force Base. The area covered by the restrictions includes a 22-acre property owned by EVWD on Sterling Avenue. Once Norton Air Force Base closed, and SBIA took over aviation activities, with IVDA handling non-aviation portions of the facility, all existing easements remained in place. Since that time, however, not only has a fuel farm and a hanger been constructed within the area then used as an RPZ, but documents submitted to the Federal Aviation Administration (“FAA”) indicate that Runway 3 is now designated as a taxiway, and, therefore, does not require an RPZ or avigation easement in order to maintain public safety.

“East Valley Water District has done all that we can to resolve this issue outside of court, but IVDA continues to maintain that, despite the changes it has made to the airport, the easement should stay in place,” said District General Manager/CEO John Mura. “We are asking that the San Bernardino Court take action to remove the avigation easement and free this property of unnecessary development limitations.”

IVDA is a joint powers authority, formed in 1990, and comprised of the County of San Bernardino and Cities of San Bernardino, Colton, and Loma Linda.

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*East Valley Water District was formed in 1954 to provide domestic water service to the unincorporated and agricultural-based communities of Highland and East Highlands. Today EVWD provides water and sewer collection services to about 93,500 people in the City of Highland, eastern City of San Bernardino, and sections of unincorporated County of San Bernardino. EVWD operates under the direction of a 5-member elected Board. The Mission of East Valley Water District is to provide its customers with a safe and reliable water supply that is delivered at a fair and cost-effective price. More information is available at [www.eastvalley.org](http://www.eastvalley.org).*