



## Purple Line Opponents Expand Lawsuit Against Federal Government

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April 10, 2015

A group of Purple Line opponents from Chevy Chase has expanded its lawsuit against the federal government after unsuccessful attempts to find endangered critters in local streams.

John Fitzgerald, Christine Real de Azua and the Friends of the Capital Crescent Trail on Thursday filed an amendment **to their lawsuit from last summer** that claims state transit officials mischaracterized the Purple Line's stormwater runoff impact, refused to do a separate health impact study and used proprietary information for ridership estimates — something the group says is forbidden by federal regulations.

**The broadened lawsuit** also says the light rail, which would run from Bethesda to New Carrollton, wouldn't address top traffic priorities because Montgomery County's 10 most congested intersections are all on north-to-south roads.

The original lawsuit, filed against the Federal Transit Authority, Department of Transportation, U.S. Fish and Wildlife Service and Department of the Interior, focused more specifically on the environmental impact of the light rail on two species of amphipods — small, shrimp-like critters thought to live in creeks near the Purple Line's route.

A team of researchers hired by the group **and funded in part** by the Town of Chevy Chase **said in January** it didn't find the two species, one which is endangered and the other which is a candidate for the federal endangered list.

“As we make clear today, the Purple Line is ‘not as advertised,’” Fitzgerald said in a press release. “We have found a pattern of systematic tilting of the analysis towards a predetermined outcome, which we believe will not withstand the scrutiny of the law and which no amount of Purple Line PR can paper over.”

The proprietary ridership information claim in the suit refers to ridership estimates in the Maryland Transit Administration's environmental impact study that cleared the way for the estimated \$2.4 billion transit project.

The Town of Chevy Chase and other opponents have repeatedly challenged the ridership estimate of 74,000 riders a day by 2040. The Town has also claimed **it would need expensive**

**proprietary software** in order to evaluate the data behind the ridership study that the MTA provided.

The expanded lawsuit also includes criticism of the Purple Line from Randal O'Toole, an analyst with the Cato Institute who has said the project "would harm taxpayers, public health and the environment."

In a press release announcing the lawsuit, Friends of the Capital Crescent Trail President Ajay Bhatt said he hopes Gov. Larry Hogan notices before he makes what's expected to be a mid-May decision on the future of the project.

"Our lawsuit, in fact, raises some of the very same questions that we hope Governor Larry Hogan and his team are examining right now, including full costs and risks, and the assessment of reasonable alternatives," Bhatt said. "Friends of the Capital Crescent Trail is giving voice to the thousands of citizens who have commented, written letters, or signed petitions against the Purple Line because they don't want government agencies to sacrifice a popular, tree-lined trail for a project that will make traffic worse by running rail tracks across major intersections and will take taxpayers for a multi-billion dollar ride for years to come."