



**The Purple Line faces a challenge in federal court.
Here are the facts about the lawsuit, and what it means for you!**

1. Despite what you may have heard, the Purple Line is NOT a done deal.

- The project faces unresolved financing issues, permitting hurdles at the federal and local levels, and an on-going lawsuit for potential violations of federal environmental laws. The story is far from over. Citizens and communities should remain engaged.

2. The lawsuit, initiated in 2014 by concerned citizens and Friends of the Capital Crescent Trail, gives voice to over 25,000 individual citizens and families who have signed petitions, sent letters, or filed comments opposing the Purple Line.

- Our environmental laws have been designed so that citizens can help enforce them. Since the enactment of the National Environmental Policy Act, thousands of Environmental Impact Statements have been successfully challenged in court, stopping federal agencies in their tracks until they reveal the true costs of the projects, better alternatives, and how they will comply with all applicable laws. At that point, bad projects can die on the vine, be redirected to less harmful alternatives, or do a much better job of mitigating any harm caused.

3. The lawsuit, *Friends of the Capital Crescent Trail et al. v Federal Transit Administration et al.*, is recognized as legitimate and is underway in federal court.

- The defendant agencies themselves, including the Federal Transit Administration and the U.S. Fish and Wildlife Service recognize that the case stands on strong grounds, and therefore have not attempted to dismiss the lawsuit.
- The case is scheduled to be heard in the spring of 2016.

4. What are the potential outcomes of the lawsuit?

- The court may find that the agencies responsible for the Purple Line have failed to comply with the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), and other laws, on one, several, none, or all of the counts brought by the plaintiffs.
- The court may stop the project and require its reconsideration and/or steps to bring the project into compliance, such as: a new Environmental Impact Statement (EIS) for the project and of reasonable alternatives to the project; a Supplemental EIS to update and correct the current FEIS; and/or other steps, including more detailed and improved plans for mitigation of the project's stormwater, noise, safety, environmental justice, or other impacts.

5. The lawsuit will ensure that communities secure dependable information about the Purple Line's impacts. Shedding light on these impacts is one of the benefits and purposes of the lawsuit!

- The information assembled for the case will be reviewed by the court. Because this suit is brought under the National Environmental Policy Act (NEPA), the proceedings will uncover and disclose information about the impacts of the project and of reasonable alternatives.
- This is exactly the type of impartial information that communities need to know about the project and what it would mean for them and for the environment.

6. The lawsuit is a cost-effective way to secure commitments for the mitigation of the Purple Line's impacts, should the project go forward in close to its current form or in a modified form.

- The lawsuit can assist in mitigation efforts across the board by elucidating what is needed and requiring a detailed and enforceable mitigation plan.
- It is much cheaper to assist with the lawsuit than it is for individuals and communities to pursue other mitigation processes after the fact.
- The lawsuit also offers broader benefits to the state and regional environment by potentially reducing stormwater runoff and releases of hazardous material from hundreds of sites along the route; air pollution, especially during construction; train noise every 3.5 minutes; safety risks; and unnecessary deforestation and loss of endangered species' recovery habitat, among others.

7. Why is legal expertise needed and what are the costs of the lawsuit?

- Costs are being held to a bare minimum thanks to extensive volunteer research and preparation time. Even so, litigation expertise, and expert legal advice and representation are vital at every step of this arduous process.
- MTA and FTA have formidable legal capabilities and we cannot afford a procedural or other error that would allow them to negate our lawsuit even if the judge agrees that the merits are on our side.

8. How can citizens and communities support the lawsuit?

- Citizens are contributing funds to raise \$60,000 to sustain the lawsuit.
- Every contribution makes a difference! Individual donations have ranged from \$25 to \$2,000, but we are still far from the goal.
- **Please support this effort and make your tax deductible contribution:**
 - Online at <http://savethetrail.org/donate/>
 - By check: Make out your check to **Friends of the Capital Crescent Trail**, and mail to: Friends of the Capital Crescent Trail, P.O. Box 5803, Bethesda MD 20824.