



## Friends of the Capital Crescent Trail

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### **Citizens Notify Gov. Hogan of Intent to Sue To Enforce State Law, Citing Purple Line Failures to Assess Full Risks and Costs**

Present and former Montgomery County citizens and the nonprofit Friends of the Capital Crescent Trail have sent to top Maryland officials a Notice of Intent to Sue to require the Maryland Transit Administration to publicly assess the Purple Line and less harmful and less expensive alternatives in order to meet the requirements of Maryland state law before any state money is spent on the Purple Line.

"The Notice of Intent to Sue is an incredibly comprehensive and detailed underscoring of many of the enormous problems that would be brought about by construction of the Purple Line. Its authors (who do not include me) are to be commended. The problems and deficiencies disclosed are legal, economic, environmental and social. It is my hope that the Hogan Administration, in its determination to undo much of the harm visited upon Marylanders by 8 years of unfettered Democrat tax and spend progressivism, will bring this Purple Line nightmare to a swift and final demise. I speak only for myself, not for the Montgomery County Republican Central Committee to which I have been twice elected and on which I currently sit. I am not privy to all of the entreaties made by all interested parties to the new Administration, but surely the dumbest is by that of our local Democrat officials that due to the millions of dollars that have already been spent in furtherance of this project, we must commit more to protect our investment to date. Indeed, the exact opposite is true. We need to stop the hemorrhaging immediately," said Mr. John Midlen, a former counsel to the Pacific Legal Foundation.

"I am joining this Notice of Intent to Sue because I have become increasingly dismayed at how Maryland state officials have disregarded a host of both federal and state laws in blindly pushing forward The Purple Line and not properly considering a range of alternative solutions to the east-west congestion that the Purple Line fails to cost-effectively address. Frankly, the state has far more significant transportation needs, and the billions of dollars for the Purple Line would be far better spent on other alternatives as this Notice articulates. The Purple Line is a bad use of our citizen's hard-earned tax dollars while simultaneously destroying a wonderful

and unique linear park and ignoring 21<sup>st</sup> century solutions to the area's transportation infrastructure issues. I am wholeheartedly a proponent of mass public transportation, but the Purple Line is not the right answer to this problem," said Mr. Gautam Prakash, CEO of Monsoon Capital, a Hedge Fund based in Montgomery County.

"We appreciate that Governor Larry Hogan is thoroughly examining whether the multibillion dollar Purple Line is worth pursuing over more efficient options. To assist his effort in understanding the full impact of this single line train system we wish to highlight the violations of Maryland and federal law that have been disregarded by the previous administration." said Ajay Bhatt, President of Friends of the Capital Crescent Trail.

Friends of the Capital Crescent Trail and individual plaintiffs have also filed a Federal lawsuit in August 2014 followed by an amended and expanded complaint on April 9, 2015, in which they raised Endangered Species Act, National Environmental Policy Act and other compliance issues.

The Purple Line as currently proposed is a 16-mile double-track, light rail system from Bethesda to New Carrollton that would force the clear-cutting of 47 acres of forest, destroying one of the most popular, tree-lined walking, jogging and biking trails in Montgomery County. The Purple Line's estimated capital cost had already risen to \$2.45 billion in 2014, almost double initial projections, and operating costs are now estimated at over \$50 million per year.

Today, with this Notice, the co-signors have informed the Governor that the Federal Impact Statement Process was not only fatally flawed in terms of Federal law, but that the Maryland Transit Administration (MTA) may also have violated Maryland law.

"If the MTA had complied with the Maryland Environmental Effects Reporting requirements, it would have had to fully disclose the Purple Line's full costs and unjustifiable risks to the safety and health of Marylanders and those downstream," said Christine Real de Azua, member of the Board of Friends of the Capital Crescent Trail, an environmental consultant, and one of the citizens included in the Notice.

The Purple Line may even violate Maryland's constitutional requirements for publicly accountable, balanced budgets. Professor David Lublin of American University has written that the borrowing planned for the Purple Line is in violation of those constitutional requirements.

"MTA has committed so many violations in pursuit of the Purple Line, it should lose its license." said John Fitzgerald, an attorney who helped write the Notice of Intent in which he joins several others who live near or enjoy the Georgetown Branch Trail.

For a copy of the Notice of Intent to Sue, click [here](#).