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# Environmental lawsuit over the Purple Line to go forward

*Foes still concerned about potential harm to endangered amphipods*

By Elizabeth Waibel Staff Writer

This story was corrected on Feb. 2, 2015. An explanation follows the story.

Purple Line opponents say they are still concerned about the proposed light rail's environmental impacts, even though a research team did not find an endangered species of amphipod in its planned path.

The Washington Post reported Thursday that the species of amphipod — a type of small crustacean — found near where the 16-mile Purple Line is planned to run through Rock Creek Park in Chevy Chase is not an endangered species. Instead, it is the species *Stygobromus tenuis*.

A research team from American University found the amphipods in December. The team, with a grant from Purple Line opponents, was looking for the endangered Hay's spring amphipod and the Kenk's amphipod, which is a candidate for endangered species listing.

The \$2.45 billion Purple Line would link Bethesda and New Carrollton.

John MacKnight Fitzgerald is one of two Chevy Chase residents who filed a lawsuit, claiming federal agencies hadn't done enough to protect amphipods from the Purple Line. He said Monday that the research team's findings don't change their legal tack.

"It essentially doesn't change the litigation," Fitzgerald told The Gazette.

"It might have been a lot easier if [researcher David Culver] had found it waiting for the Purple Line to run over it," he said, referring to the Hay's spring or Kenk's amphipod, but the lawsuit will go forward.



Greg Dohler/The Gazette

American University graduate student Jenna Keany holds a vial of shrimp-like amphipods in Rock Creek Park in Chevy Chase.



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When he, the Friends of the Capital Crescent Trail and Christine Real de Azua of Chevy Chase filed the lawsuit in August, they didn't know whether the Hay's spring and Kenk's amphipods lived near the route, but they have been found in Rock Creek Park in Washington. The trees along the alignment and the groundwater seeps that are prime amphipod habitat are still worth protecting, Fitzgerald said. He also is

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concerned about stormwater runoff, hazardous waste and the loss of trees when the Purple Line is built, which could harm the amphipods and other species in the area or downstream.

"The whole area is going to become basically uninhabitable, to a large extent," he said.

The amphipod species found near the Purple Line alignment is in the same Stygobromus genus as the Kenk's and Hay's spring amphipods. Fitzgerald said that even though the researchers did not find any endangered amphipods, they did find habitats where they could live or where the species could expand and recover in the future.

"[The population is] so tenuous ... that you can't really write off anything, and you shouldn't write off any occupiable habitat," he said.

Because the shrimp-like amphipods — which measure up to a half-inch long and are sightless — spend most of their time underground, they are difficult to find. Fitzgerald said the Friends of the Capital Crescent Trail has commissioned a DNA study to sequence the endangered amphipods' DNA, so water in the area can be tested to check for its presence.

More scrutiny of the Purple Line's environmental impact is needed, Fitzgerald said, especially because the rail line's design is still being finalized.

"At the very least, they need to have a supplemental [environmental impact statement] before they turn a single spade of dirt or cut a single tree," he said.

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An earlier version of this story misspelled Christine Real de Azua's last name.

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