

# High-speed rail agency settles Bakersfield's lawsuit against route

By Tim Sheehan



11/25/08 Conceptual view of high speed rail. special to the bee photo from the <http://www.cahighspeedrail.ca.gov/gallery.aspx>

The California High-Speed Rail Authority announced Friday afternoon it has [reached a settlement](#) with the city of Bakersfield in the city's environmental lawsuit over the authority's Fresno-Bakersfield route.

The lawsuit, filed in June by the city in Sacramento County Superior Court, is one of seven challenging the rail agency's environmental-impact report and final route selection for the section of the statewide rail system between the south end of Fresno and downtown Bakersfield.

Still pending, however, are six other cases filed by Kern County; Dignity Health, which operates a hospital along the rail route; Coffee Brimhall, a development company with a proposed Bakersfield project site on the route; the First Free Will Baptist Church in Bakersfield; the city of Shafter; and Kings County, Citizens for California High-Speed Rail Accountability and the Kings County Farm Bureau.

All seven lawsuits allege that the rail authority violated the California Environmental Quality Act by failing to adequately evaluate all of the potential effects on homes, neighborhoods, businesses and farms of building and operating the rail route through southern Fresno County, Kings County, Tulare County and northern Kern County. The suits also asserted that the plan did not provide sufficient measures to offset harmful effects of the rail line.

The fates of the cases, however, were thrown into doubt earlier this month when the U.S. Surface Transportation Board issued a declaration that because it had already approved the route for construction, state courts are barred from enforcing the state environmental law for the Fresno-Bakersfield section, including issuing any court orders to halt work on the Fresno-Bakersfield section.

“This agreement represents our shared commitment to continue working together to solve issues in a constructive manner,” said Jeff Morales, the rail authority’s CEO. “Our goal is to maximize the benefits of high-speed rail in Bakersfield and minimize impacts to the community.”

In the agreement, the rail agency “acknowledges that the city is concerned that the Bakersfield Hybrid Alignment analyzed in the May 2014 (environmental report) is unacceptable to the city.” The settlement requires the rail authority to consider a new alternative route south of Seventh Standard Road, at the northwestern fringe of Bakersfield, as well as a new station location in the city.

The rail agency originally contemplated putting its station in downtown Bakersfield, near the existing Amtrak station near Truxton and Union avenues. The settlement identifies a new station site “in the general area of F Street and Golden State Avenue,” about a mile and a half from the Amtrak station.

The state agency pledges that it will conduct a workshop in Bakersfield on the new route option and station site. Once a new environmental assessment is prepared, the agency will hold its board meeting in Bakersfield to certify the environmental analysis and finalize the route. Yet to be determined is whether the evaluation will be part of a revision to the already-approved Fresno-Bakersfield environmental impact report, or included in the environmental work for the next segment connecting Bakersfield to Palmdale.

Contact Tim Sheehan: [tsheehan@fresnobee.com](mailto:tsheehan@fresnobee.com), (559) 441-6319 or [@TimSheehanNews](https://twitter.com/TimSheehanNews) on Twitter.

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