

High-speed rail agency behind schedule in buying land

Juliet Williams 3:49 p.m. PST February 12, 2015

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SACRAMENTO – California's \$68 billion high-speed rail project is as much as a year behind schedule in buying the land needed to start construction, having purchased less than a quarter of the parcels for the first 29-mile stretch in the Central Valley, rail officials say.



The state has purchased 122 of the 540 parcels it needs for construction from Madera to Fresno, putting it well behind its own 2012 plan to buy up land and turn it over to contractors, despite a high-profile groundbreaking with Gov. Jerry Brown last month in Fresno.

The High-Speed Rail Authority provided the figure as rail officials go before a state panel Friday seeking approval to start eminent domain proceedings for another 31 properties in Fresno and Madera counties. That land is in addition to 104 parcels already approved for eminent domain action by the state Public Works Board, although the high-speed rail project has yet to actually seize any property.

"We had some challenges getting to where we need to be. So we are behind schedule," rail spokeswoman Lisa-Marie Alley said.

The agency has been behind its own land acquisition schedule almost since it was drafted, slowed by a series of legal challenges, federal oversight proceedings and political opposition. But with the largest legal hurdles cleared and a secure, although small, state funding stream, the authority has hired more staff in the Central Valley, and property owners are increasingly working with assessors rather than fighting them, Alley said.

"This is an emotional thing, purchasing someone's property, and having impacts on their life. We're doing everything we can to work with them," she said, adding, "We can't stretch things out for months on end, but we are doing our due diligence."

Stan Felipe, a third generation farmer in Kings County, south of Fresno, is among those in talks with rail officials about the 10 to 15 acres the state has offered to buy from the 200-acre farm where he grows pistachios, corn and cotton. He said the high-speed rail plans call for a 30-foot vehicle overpass that will slice across his land, cutting off water and access to half his farm.

After receiving what he believes is a below-value appraisal and hundreds of pages of paperwork, the 65-year-old and his wife, Beverley, hired an attorney.

"This is how we live, this is what we do to survive, but it's a mess," Felipe said. "It's scary, real scary."

The public works board is expected to approve the 31 parcels for condemnation Friday. They include many along the former state Highway 99 in Fresno, including empty warehouses, farmland and a former restaurant.

Several property owners there declined to comment.

Friday's action is a preliminary step. The rail authority will continue working with owners to reach settlements, as it has with 23 of the 104 previously approved parcels, Alley said.

The rail agency is required to follow state law for property condemnations, the same process used to acquire land for other major infrastructure projects such as highways. It provides up to \$5,000 per parcel for property owners to get their own appraisals.

But some opponents say the rush to acquire land is leading the rail authority to bypass its own rules with "flash appraisals" that do not include talking to landowners. They argue that such conversations are essential for rural properties that may involve complicated land- and water-use agreements and the potential for lost income.

"You are not just buying real estate," Frank Oliveira, a Kings County resident and member of the group Citizens for High-Speed Rail Accountability, told the rail board this week. "You need to also compensate people for damaging or destroying their businesses."

Alley said appeals by the group, which has filed several lawsuits against the project, are an attempt to gain media attention as part of their effort to stop the project.

"There's always going to be property owners who aren't going to want to settle with us. ... They want to go down the court route, and that is a lengthy process because we have to follow the law," she said.

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