

# Land-acquisition concerns continue to dog high-speed rail agency

By Tim Sheehan

## Property concerns

- Of more than \$223 million forecast to be spent on property for California's high-speed train project in 2014-15, only about \$32 million was spent through the first seven months.
- Of more than 1,000 pieces of land needed in Madera, Fresno, Kings and Tulare counties, only 108 have been secured for construction.
- Property owners allege that property agents are using low-value appraisals and abusive tactics in a rush to catch up.

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The California High-Speed Rail Authority estimates that it has spent about \$92 million over the past year and a half to buy the land it needs for bullet-train right of way in the central San Joaquin Valley. But even with that seemingly prodigious figure, property acquisition is moving at a startlingly slow pace.

That has some Kings County land owners fearing that the authority's property agents and appraisers are running roughshod over them with "heartless" tactics and low-ball offers in a rush to catch up.

A pair of reports presented to the rail agency's finance and audit committee Tuesday in Sacramento detailed the rates at which money is being spent and property is being secured for the first two construction sections — and how those rates are affecting progress on the initial stages of the statewide rail line.

It's not pretty.

A report on total spending on the rail program shows that the rail authority spent about \$60.2 million on right-of-way acquisition in the 2013-14 fiscal year, which ended last June. That's in addition to about \$13 million that the agency paid to consultants and support firms for right of way services.

In the 2014-15 fiscal year, the agency forecast its property spending at \$223.6 million. But as of January — more than halfway through the year — the authority had shelled out only about \$32 million, plus \$2.7 million in right of way services.

The behind-schedule spending is reflected in how few parcels of land the agency has secured for construction. From Madera to the Tulare-Kern county line — about 95 miles covered by two design-and-construction contracts for the rail route in the Valley — more than 1,000 pieces of property are needed. Through mid-February, however, only 108 pieces have been made available for contractors for construction, and all of those are in the first 29-mile stretch between Fresno and Madera.

Construction is running well behind where the authority hoped it would be when it awarded the Fresno-Madera contract in mid-2013 — so far behind, the Los Angeles Times reported last week, that contractor Tutor Perini is considering seeking compensation for delays in the company's ability to start construction on the project. Some buildings have been demolished along the route, and some utility relocation work has begun in downtown Fresno, but substantial construction has yet to commence.

The delays are also reflected in concerns voiced by a group of Kings County residents who traveled Tuesday to Sacramento to tell the rail authority board that in the state's rush to catch up on property acquisition, they are being

steamrolled by right of way consultants and appraisers who are offering them far less than what they believe their property is worth.

Ernestine Mattos, who with her husband owns a dairy farm south of Hanford, said she had to put off an appointment with an appraiser in November because of a family medical emergency. “He informed me that he still had a job to do,” Mattos said. “(He said) if I was not going to work with him, he would have to do a roadside assessment.” She described the appraiser’s attitude as “heartless” and complained to the board that “I feel like you guys are just bulldozing through us.”

Millard Downing said the people who appraised his property on Ponderosa Street, just east of Hanford, “apparently came and made an appraisal when I wasn’t even there” by taking photos from over the neighbors’ fences.

He expressed a concern about the lack of local experience by property agents. “The appraisal team for my area is from Houston, Texas, and the property people who work with you are from Tulsa, Oklahoma,” he said. And, he added, the comparable properties used to help appraisers establish a value for his home surprised him. “One was up in Ahwahnee, on the way to Yosemite, 80 miles from my place, and one was in Auberry, about 60 miles away,” Downing said. “And another was from Sanger, 33 miles from my house.”

“Something needs to be done to assist in this process,” he said. “It’s not doing anything to help you guys do the train.”

The concerns bothered the rail authority board members, who pledged to take residents’ complaints seriously.

“We’re dealing with people’s lives,” said Lynn Schenk, a former San Diego congresswoman on the board. While the rail project is intended to help future generations of Californians, “we have to think about the people of this generation and how we are impacting them,” she said. “I’ve lived long enough to know that when a person says they have ‘a job to do’ in the field, it can be done in a heartless way, an emotionally distressing way.”

Schenk and other board members tasked the authority’s Central Valley regional manager, Diana Gomez, to provide the board with regular reports of how right of way agents are working with landowners. “There are people we know aren’t doing it the right way and we won’t tolerate it,” Schenk told Gomez. “When people come to you with their stories, you investigate and then report back to us. That’s the only way we’re going to know what’s going on.”

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