

More Valley land OK'd for high-speed rail

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Sixteen more properties in Fresno, Kings, Madera and Tulare counties are in the cross-hairs for possible condemnation as the state continues to assemble the land it needs for a high-speed rail route through the San Joaquin Valley.

The State Public Works Board adopted resolutions Monday declaring a public need for the properties and authorizing the use of eminent domain to acquire the land. The actions add up to 44.75 acres, and parcels covered by the resolutions range in size from one-hundredth of an acre to almost 22 acres. The resolutions were adopted at the request of the California High-Speed Rail Authority, the agency tasked with building a high-speed rail system to connect Los Angeles and San Francisco by way of the San Joaquin Valley.

The Public Works Board is made up of the heads of the state's Finance, Transportation and General Services departments. The board governs property acquisition and fiscal issues for state construction projects and programs. Since December 2013, the board has adopted 246 resolutions authorizing eminent domain for almost 670 acres of property in the four-county region.

Eminent domain, or condemnation, is a legal process by which a government agency can go to court to acquire property for a public project when the agency and property owner cannot agree on price or terms. The first step is adoption of a resolution of necessity, and then the agency can file an eminent domain lawsuit in the county where the property is located. A judge first decides whether the agency is entitled to the property; in a second phase of the case, a trial determines the fair market value and other "just compensation" due the owner. The verdict can be no lower than the agency's offer and no higher than the owner's counteroffer.

Six of the properties approved Monday are within Construction Package 1, the rail authority's first section of construction covering about 29 miles from northeast edge of Madera to the south end of Fresno. The others are part of Construction Package 2-3, which spans about 65 miles from south of Fresno to the Tulare-Kern county line. A contract with a consortium of companies to design and build Construction Package 2-3 was awarded in January and signed last week.

Property acquisition has been one of the key factors in rail construction happening slower than the authority once anticipated. Of 536 pieces of land the agency needs for construction of the Fresno-Madera section, it had bought or gained legal possession to 207 as of last week. In its Fresno-Tulare/Kings section, the authority has secured 50 of the 543 properties it needs.

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