

More properties eyed in Valley counties for high-speed rail

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More than a dozen pieces of land in the Valley have been targeted by the state for possible eminent domain for the first stretches of California's high-speed train project.

The state Public Works Board, meeting Monday in Sacramento, adopted 13 resolutions declaring a public need for properties adding up to more than 72 acres in Fresno, Kings and Tulare counties. The board authorized the use of eminent domain, or condemnation, if necessary to get the land needed for the railroad right of way. The parcels range in size from about 2,200 square feet — about five-hundredths of an acre — to more than 21 acres.

Eminent domain, or condemnation, is a legal process in 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.

52

Number of eminent domain resolutions authorized for property in Kings County since March 2015

261.69

Acres of land in Kings County targeted by eminent domain resolutions for high-speed rail since March 2015

Monday's action brings to 259 the number of resolutions of necessity adopted by the Public Works Board since December 2013, encompassing just over 742 acres in Fresno, Kings, Madera and Tulare counties. The Public Works Board is made up of the heads of the state's Finance, Transportation and General Services departments, and oversees the acquisition of property for state public works projects. The resolutions have been requested by the California High-Speed Rail Authority, which continues to play catch-up in securing right of way needed in the Valley to build the initial sections of its statewide rail system.

The urgency for the rail authority to get the land it needs for construction is illustrated by the quickened pace at which the state adopted its eminent domain resolutions this year. Nearly 190 of the resolutions encompassing more than 653 acres have been approved since January. Most of the property has been in Kings County, where resistance to the rail authority runs high and loud. There, more than 260 acres of property have been targeted by 52 resolutions, all since March, compared to about 250 acres under 176 resolutions for Fresno County property over the past 20 months.

The state needs to acquire nearly 1,100 parcels of land, either in whole or in part, to build its first two construction sections in the Valley between Madera and the Tulare-Kings county line. As of last month, it had secured about 260 properties.

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