TRANSDEF Announces HSR Lawsuit Against ARB

TRANSDEF, the Transportation Solutions Defense and Education Fund, announces that it filed suit in Fresno County Superior Court today challenging the Governor's fallback funding scheme for High-Speed Rail (HSR). HSR was included in the list of measures to reduce greenhouse gas (GHG) emissions contained in the Update to the Scoping Plan recently adopted by the California Air Resources Board (ARB). The Scoping Plan is California's master strategy for responding to climate change.

TRANSDEF’s attorney, Stuart Flashman, commented: “As a former scientist, I was disappointed that ARB ignored the scientific evidence. The huge spike in cement production needed to build all the viaducts and trackways for the Governor’s high-speed rail line will result in greenhouse gas emissions far outstripping any potential benefit from the line. Including high-speed rail in the Scoping Plan runs directly counter to the legislature’s intent in AB 32 and violates the direct mandate of the law.”

The Scoping Plan Update relied on a report to the Legislature by the California High-Speed Rail Authority, which supposedly identified the HSR project's net GHG benefits. TRANSDEF’s critique of the profound flaws in that report was submitted to ARB. At the ARB hearing where the Scoping Plan was adopted, TRANSDEF's David Schonbrunn testified about HSR's fallacious environmental benefits:

"High-speed rail should not be shown in your Plan as a GHG emissions reduction measure. The claimed GHG emissions reductions are a very expensive fantasy: They depend on $30 billion of project funding that the Authority doesn't have and can't get," Schonbrunn said. His unrebutted testimony is the focus of the lawsuit. TRANSDEF submitted expert evidence that, rather than reduce GHGs, HSR will increase GHG emissions well beyond ARB's proposed mid-term target year of 2030.

Frank Oliveira of Citizens for California HSR Accountability said, "I delivered the TRANSDEF critique to Senate offices. They all knew that HSR would increase GHGs but the majority still voted to give HSR 25% of the Cap & Trade funds. Sadly, facts do not matter in Sacramento--the political system is profoundly broken."

TRANSDEF is an environmental non-profit advocating for systemic change in transportation and land use planning to reduce the emissions from motor vehicles, California's largest GHG-emitting sector. TRANSDEF supports HSR, but has litigated three cases against the current HSR project because of its deeply flawed planning.