

Atherton sues CalTrain operator, challenges effects of the rail line's electrification

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SACRAMENTO -- Atherton on Monday sued the group that owns and operates CalTrain, challenging the environmental effects of electrifying the commuter rail line.

The lawsuit seeks to halt the project until the Peninsula Corridor Joint Powers Board agrees to study more closely the consequences of electrification, said Atherton City Manager George Rodericks.

Electrifying CalTrain's tracks will allow the Bay Area commuter rail line to share the track with bullet trains. Atherton and several other Peninsula towns oppose the bullet train project and have filed other lawsuits to kill it.

"The town met with CalTrain in an attempt to reach commitment on a number of remaining issues," Rodericks said, but the rail agency's response was not sufficient, he added.

Specifically, Atherton seeks to force CalTrain to minimize the number of trees it cuts down while installing power lines, paying for extra barriers to prevent cars from crossing the tracks, and restoring weekday service to Atherton.

"It's important to all of our residents to get these issues resolved," Roderick said.

Atherton's decision to litigate the CalTrain electrification project is disappointing because the town's problems could have been resolved outside the courtroom at a much lower cost to taxpayers, CalTrain spokeswoman Jayme Ackemann said.

"Atherton is unfairly attempting to stall a project that will have such great benefits for the people of the town and the entire region," Ackemann said.

Two nonprofit transportation advocacy groups joined Atherton in the lawsuit filed in San Mateo Superior Court. They fear that by 2040, CalTrain won't be able to serve any new riders because all excess capacity on the shared tracks will go to bullet trains.

Those two groups -- Transportation Solutions Defense and Education Fund and the Community Coalition on High-Speed Rail -- also filed a separate lawsuit Monday in federal court challenging a recent federal agency ruling regarding the bullet train.

The Surface Transportation Board ruled last month that federal law takes precedence over the California Environmental Quality Act, and that the act doesn't apply to the California High-Speed Rail Authority's plans to build track between Fresno and Bakersfield. Kings and Kern counties joined the groups in the lawsuit.

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