

## NEWS from the California Rail Foundation



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### **RAIL WATCHDOGS, ENVIRONMENTAL GROUPS AND TWO CITIES FILE SUIT ON RAIL ROUTING**

Four groups and two cities filed a lawsuit together today in Sacramento Superior Court to challenge the Environmental Impact Report that supported selection of a segment of the proposed high-speed rail line. The lawsuit challenges the action July 9 by the High Speed Rail Authority (HSRA) to certify the choice of the Pacheco Route between San Francisco and Fresno. The plaintiffs are:

Planning and Conservation League  
Transportation Solutions Defense and Education Fund  
California Rail Foundation  
Bay Rail Alliance  
Town of Atherton  
City of Menlo Park

The Atherton Town Council and the Menlo Park City Council each voted on August 5 to join the suit. The cities are concerned that the HSRA ignored their comments on the environmental impact report and failed to fairly consider alternative routes.

The environmental and transit groups advocate a well-planned, cost-effective, and environmentally sensitive high-speed rail system in California. They want high-speed trains along the Altamont route, to help commuters from the Central Valley and Sacramento, who currently clog up Interstates 80 and 580. This route would divert millions of regional trips annually to electrified rail, yielding extremely significant air quality, greenhouse gas reduction, and energy savings benefits.

The Pacheco route offers no comparable benefit, because there is little interregional commuting in that corridor. By current plans, Sacramento, Stockton, and Modesto would not receive any high-speed rail service for decades, because the starter line through Pacheco would have to produce billions of dollars in profits before service would be extended to cities north of Fresno.

The groups allege that HSRA's comparison of the Altamont and Pacheco routings was unfair and incomplete. HSRA's analysis of benefits and impacts was biased in favor of the Pacheco route, which runs via San Francisco, San Jose, Gilroy, Los Banos, and Fresno. Despite the more than one million additional Californians with access to the Altamont route, the HSRA's ridership analysis claimed the Pacheco route would have equivalent ridership. These ridership projections were so extremely flawed that they claimed there would be a million annual passengers using the Gilroy high-speed rail station, located in a city of 45,000 residents.

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CRF and its co-plaintiffs believe the choice of Pacheco will cause serious environmental harm along the route. Because of the inadequacy of the environmental review, that harm was not properly disclosed nor adequately mitigated.

Environmental issues include the EIR's failure to define where the tracks will go, now that the Union Pacific Railroad will not allow the use of its tracks; sprawl-inducement in southern Santa Clara County, San Benito County, and Merced County; damage to wilderness areas in the Pacheco Valley; disruption of the Pacific Flyway avian habitat by 220 mph trains; division of cities by an elevated 4- track mainline; and neighborhood noise impacts.

The California Environmental Quality Act (CEQA) provides that an agency cannot choose an alternative that is damaging to the environment, if there is an alternative that is less harmful. Most of the harm could have been avoided through selection of the Altamont Alignment, which avoids wilderness areas and dense residential neighborhoods.

About the non-profit groups:

**California Rail Foundation**, based in Sacramento, works to educate the public on rail and bus technology and promote cost-effective expansion of the state's public transportation services.

**Transportation Solutions Defense and Education Fund, TRANSDEF**, is headquartered in the Bay Area and advocates for effective regional planning, smart growth, improved transit service, and cleaner air.

**Planning And Conservation League**, headquartered in Sacramento, works within the political and legal systems to enact and implement policies that protect and restore the California environment.

**Bay Rail Alliance**, based in the Bay Area, advocates for improvements to rail public transit service in the region, to reduce dependence on automobiles, stop climate change and improve air quality.

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