

# Gov. Brown increasingly desperate to save bullet train

Dan Walters, Sacramento Bee, 1-28-14

Desperate times, it's been said, call for desperate measures.

The oft-quoted phrase originated with ancient Greek physician Hippocrates, who declared, "For extreme diseases, extreme methods of cure, as to restriction, are most suitable."

Gov. Jerry Brown, without uttering the words, has adopted it as his guiding credo to keep alive his bullet train project, which otherwise would die a natural death.

Faced with a Sacramento judge's insistence that the restrictive language of a 2008 ballot measure authorizing the project meant what it said, Brown has become increasingly desperate to begin constructing a small portion.

The state has not been able to sell voter-authorized bonds because of Judge Michael Kelly's ruling. And it faces deadlines for using federal funds, as well as putting up the state's share.

At first, the Brown-controlled High-Speed Rail Authority pooh-poohed the ruling and said it easily could comply.

It couldn't, however, because it couldn't say how it would finance a "usable segment" of the project, and Kelly evidently wasn't buying its efforts to redefine the term as being just the short, unelectrified stretch in the San Joaquin Valley.

Then Brown said he wanted to use \$250 million of "cap-and-trade" fees on business, meant to reduce carbon emissions, apparently to meet the deadline for putting up the state's share of the project costs this spring without bond money. That tactic has run into opposition in the Legislature and from its budget analyst, Mac Taylor, who says that it may be illegal.

Brown's latest act of desperation occurred late Friday, when his administration asked the state Supreme Court to, in effect, seize the case from Kelly and accept the tortured logic on the project's legality that Kelly has been unwilling to swallow.

It continues the assertion that Kelly rejected -- that since the Legislature had acted to appropriate the money, the "funding plan" that Kelly found inadequate "was moot," no matter what the plain language of the bond issue said.

The simple fact is that there's no way the project as currently constituted can meet the restrictions of the voter-approved bonds -- limits that were designed to protect taxpayers' interests.

Voters were told that state financial exposure would be limited and that the federal government and private investors would put up most of the money. The feds, however, have committed only a few billion dollars, and there is absolutely nothing else on the horizon.

Meanwhile, the tiny approval margin of the bond issue has morphed into strong opposition in statewide polls as costs have escalated and project management has proved erratic.

It's become Brown's ego trip, rather than something that Californians want and need, and is more likely to make him a laughingstock in history books than to become a noteworthy legacy.