

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA



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A2503014

Application of City of Encinitas to construct two new pedestrian at-grade crossings in the Leucadia neighborhood on North County Transit Districts (NCTD) San Diego Subdivision at Grandview Street at MP 235.66 (Proposed CPUC Crossing No. 106-235.66-D) and at Phoebe Street at MP 236.12 (Proposed CPUC Crossing No. 106-236.12-D).

A.25-03-014

**RESPONSE OF THE RAIL SAFETY DIVISION  
TO THE APPLICATION OF THE CITY OF ENCINITAS  
TO CONSTRUCT TWO AT- GRADE PEDESTRIAN RAILROAD CROSSINGS**

**I. INTRODUCTION**

Pursuant to Rule 2.6(a) of the California Public Utilities Commission's ("Commission's") Rules of Practice and Procedure ("Rules"), the Commission's Rail Safety Division ("RSD") files its response to Application ("A.") 25-03-014.

In A.25-03-014, the City of Encinitas ("City") requests the Commission's authorization to construct two at-grade pedestrian railroad crossings ("crossings"), one at Grandview Street at Milepost 235.66, and one at Phoebe Street at Milepost 236.12, in the City of Encinitas, County of San Diego. The City proposes to construct the two crossings to provide access between the two communities, neighborhoods, residences, businesses, pedestrian trails, and beaches along Coast Highway 101 ("Hwy 101") west of the tracks.

In response to the City's request for authority to construct the crossings, RSD wishes to apprise the Commission of relevant information on this project, including information on RSD's past meetings and the type and location of the crossings. RSD's Rail Crossings and Engineering Branch evaluates the safety of all requested rail crossings, including the crossings at issue here. The "checklist," included here as Attachment A, documents RSD's

safety review of the proposed crossing and is important information to include on the record to ensure that a thorough review of the City's proposed crossings occur.

## **II. RSD'S SAFETY REVIEW OF THE PROPOSED CROSSING**

The City proposes to construct two at-grade pedestrian rail crossings in the City of Encinitas, County of San Diego. RSD attended a field diagnostic review meeting on June 29, 2023. RSD has discussed the location with the applicant and reviewed documentation related to the project, most recently on October 11, 2024. RSD has found no outstanding safety or other issues with the proposed crossings.

RSD has also completed its review of A.25-03-014 and concluded that the Application complies with all the applicable requirements of the Commission's Rules and General Orders. RSD has no objections to A.25-03-014.

## **III. PROPOSED COMMISSION AUTHORIZATION TIME PERIOD**

The application did not request an authorization period, however in discussions, the applicant requested a five-year authorization period. For crossings that are ready for construction, RSD typically recommends that a three-year authorization period be provided from the date of the Commission Order to complete construction of a crossing. As the design of the crossings is not finalized, RSD does not object to the longer time frame of five years as requested by the applicant.

## **IV. PROPOSED SCOPE OF PROCEEDING**

RSD proposes the following list of issues as constituting the scope of the proceeding:

1. Whether the Application meets all the Commission's requirements – including Rule 3.7 – such that the Commission should grant the City of Encinitas's Application to construct two at-grade pedestrian rail crossings.
2. Whether the Applicant has complied with the California Environmental Quality Act ("CEQA").
3. Whether the Commission should grant the Applicant a period of five years from the Application approval date to complete the proposed crossings.

## V. PROPOSED ORDERING PARAGRAPHS

Additionally, RSD recommends that – should the Commission adopt a decision approving the crossings – the Commission include the following language in the decision’s Ordering Paragraphs:

1. The City of Encinitas is authorized to construct two at-grade pedestrian rail crossings on North County Transit District’s San Diego Subdivision, one at Grandview Street and one at Phoebe Street, in the City of Encinitas, County of San Diego.
2. The at-grade pedestrian rail crossings shall be identified as California Public Utilities Commission Crossing Number 106-235.66-D for Grandview Street and 106-236.12-D for Phoebe Street.
3. The City of Encinitas shall coordinate with the North County Transit District to obtain and assign a Federal Department of Transportation Crossing Identification Number for the at-grade pedestrian rail crossings and submit them to the California Public Utilities Commission’s Rail Crossings and Engineering Branch of the Rail Safety Division.
4. The at-grade pedestrian rail crossings shall have the configuration specified in the application and its attachments.
5. The City of Encinitas will continue to work with the California Public Utilities Commission’s Rail Crossings and Engineering Branch of the Rail Safety Division towards the final design and finalize the design in a manner that is satisfactory to the California Public Utilities Commission’s Rail Crossings and Engineering Branch of the Rail Safety Division.
6. The City of Encinitas shall provide a compliance filing of 100% design level drawings for the crossings to the California Public Utilities Commission’s Rail Crossings and Engineering Branch of the Rail Safety Division no later than 60 days prior to commencing construction. The compliance filing will serve to demonstrate conformance with the crossing designs approved in this Order.
7. The City of Encinitas shall comply with all applicable rules, including California Public Utilities Commission General Orders and the California Manual on Uniform Traffic Control Devices.

8. Within 30 days after completion of the work authorized by this decision, the City of Encinitas shall notify the California Public Utilities Commission's Rail Crossings and Engineering Branch of the Rail Safety Division by submitting the following documents:
  - a. A completed California Public Utilities Commission Standard Form G (Report of Changes at Highway Grade Crossing and Separations), for the completion of the authorized work. Form G requirements can be obtained at the California Public Utilities Commission web site page at [www.cpuc.ca.gov/crossings](http://www.cpuc.ca.gov/crossings). The completed report should be submitted via email to [rceb@cpuc.ca.gov](mailto:rceb@cpuc.ca.gov).
  - b. A copy of the executed maintenance agreement between the City of Encinitas and North County Transit District.
9. This authorization shall expire if not completed within five years of the issuance of this decision unless time is extended or if the above conditions are not satisfied. Authorization may be revoked or modified if public convenience, necessity, or safety so require.
10. Should the City of Encinitas require additional time to complete the crossings, the City of Encinitas may request a time extension from the California Public Utilities Commission's Rail Crossings and Engineering Branch of the Rail Safety Division of at least 30 days before the expiration of that period. A copy of the extension request shall be sent to all interested parties.

RSD provides the recommended Ordering Paragraph language suggested above in order to ensure that the crossing is properly identified in the decision with a Commission crossing number, and that the City of Encinitas is required to notify RSD prior to the crossing opening, as well as to keep RSD informed as to any need for an extension of the authorized time-frame for completing the crossing. RSD's suggested language is not intended to be exhaustive of the Ordering Paragraphs that may be included in a decision approving the crossing.

## VI. CONCLUSION

RSD has thoroughly reviewed the requested crossing and has found no safety issues. RSD agrees that the crossing complies with all applicable regulatory and safety requirements and that the Application material meets the requirements set forth in the Commission's Rules of Practice and Procedure. RSD has no objections to Application A.25-03-014.

Respectfully submitted,

/s/ RODERICK HILL

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April 15, 2025

# ATTACHMENT A

## Rail Safety Division Rail Crossings and Engineering Branch Rail Crossings Application Check List

**Date:** April 10, 2025

**Application:** A.25-03-014

**Applicant:** City of Encinitas (City)

**Railroads / Transit Agencies:** North County Transit District (NCTD)

**Crossings Location (Roadway, City, and County):** Grandview Street and Phoebe Street, City of Encinitas, County of San Diego

**Crossings Type (Grade Type, Roadway, Bike Path, or Pedestrian):** At-grade pedestrian rail crossings.

**Crossing Numbers (CPUC/DOT):**

Crossing Name	City	County	CPUC No.	DOT No.
Grandview Street Ped	Encinitas	San Diego	106-235.66-D	TBD
Phoebe Street Ped	Encinitas	San Diego	106-236.12-D	TBD

**Number and Type of Tracks:** One mainline railroad track.

**Type and Location of Warning Devices:** One CPUC Standard 9 (Flashing Light Signal Assembly with Automatic Gate Arm) pedestrian gate at each approach for each crossing.

**Diagnostic Review / Site Visit Date:** June 29, 2023

**Crossing Issues:** None.

**Application Review Date:** April 10, 2025

**Compliance with the Commission's Rules of Practice and Procedure:**

Rule 3.7 is the applicable Rule of Practice and Procedure for applications to construct crossings of a public road across a railroad.

Rules of Practice and Procedure, Rule 3.7:

- (a) Milepost and Legal Location: The legal location information for the crossing is included in Exhibit A of the application. The milepost is stated in paragraph 1 of the application and the geographic coordinate information (longitude & latitude) for the crossing is included in Exhibit A of the application.
- (b) The crossing identification numbers of the nearest existing public crossings are stated in Section 5 of the application. They are:
  - i. To the north: La Costa Ave grade-separated crossing, CPUC No. 106-235.10-A and DOT Number 026823N.
  - ii. To the south: Leucadia Boulevard at-grade crossing, CPUC No. 106-236.50 and DOT Number 026827V.
- (c) The application includes an explanation that sufficiently demonstrates the public need to be served by construction of the crossing in Section 6; a statement showing why a grade-separated crossing is not practicable in Section 12; and a statement showing signs, signals, or other crossing warning devices which applicant recommends be provided at the proposed crossing in Sections 7 and 13.
- (d) A map in compliance with Rule 3.7(d) is included as Exhibits B.
- (e) A map in compliance with Rule 3.7(e) is included as Exhibit B.
- (f) A profile in compliance with Rule 3.7(f) is included in Exhibit B.

**Applicable Safety and Regulatory Requirements:**

1. Public Utilities Code Sections 1201 – 1205: Applicant applied to the Commission for authority to construct two new at-grade pedestrian rail crossings under the applicable Public Utilities Code Sections.
2. GO 72-B: Crossing surface is in compliance with GO 72-B.
3. GO 75-D: Crossings identification and emergency notification telephone number will be posted to be in compliance with GO 75-D, Section 5.1.

**Results of Application Review:** The application meets the requirements of the Rail Crossings and Engineering Branch, applicable CPUC General Orders and 3.7 of the CPUC Rules of Practice and Procedure.

**Stakeholders / Contacts:**

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