

**FILED** 09/24/25 10:53 AM **A2509010** 

### BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of San Juan Capistrano to construct a public multi-use trail crossing beneath the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision bridge where it crosses Trabuco Creek at Milepost 195.81 (Proposed Federal DOT# 997302A and CPUC Crossing No. 101OR-195.81-BD) within the City of San Juan Capistrano and County of Orange, California.

Application No.	

### **APPLICATION**

The City of San Juan Capistrano (Applicant) hereby respectfully requests authority from the California Public Utilities Commission (CPUC) to construct a public multi-use trail crossing directly beneath the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision bridge where it crosses Trabuco Creek at Milepost 195.81 (Proposed Federal DOT# 997302A and CPUC Crossing No. 1010R-195.81-BD) within the city of San Juan Capistrano and County of Orange, California.

In support of this application, the Applicant asserts that:

- 1. The Applicant's exact legal name is City of San Juan Capistrano, a public agency.
- 2. The Applicant's principal place of business is City of San Juan Capistrano, 32400 Paseo Adelanto, San Juan Capistrano, CA 92675. The main telephone number is (949) 234-4410.
- 3. All correspondence, communication, notices, orders, and other papers relative to this application should be addressed to: Joel Rojas, Director of Development Services, at the above address and at the following e-mail address: <a href="mailto:jrojas@sanjuancapistrano.org">jrojas@sanjuancapistrano.org</a>. Mr.

- Rojas is an employee of City of San Juan Capistrano and the Applicant's authorized agent.
- 4. The proposed public multi-use trail crossing underneath the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision bridge at Milepost 195.81 (Proposed Federal DOT# 997302A and CPUC Crossing No. 101OR-195.81-BD) is part of the Metrolink Fish Passage Project. City of San Juan Capistrano is working cooperatively with stakeholders along the corridor which include private landowners, government agencies, non-profit organizations, and railroads.

A full description of the project site location and a summary of the project design is provided in Exhibit A. Detailed design plans and 3D renderings of the proposed design are included in Exhibit C.

- 5. This application and relief sought herein is filed pursuant to Sections 1201, 1201.1, 1202, and 1701 of the Public Utilities Code and in accordance with Rule 3.7 of CPUC's Rules of Practice and Procedure.
- 6. The Project, in the City of San Juan Capistrano, is a fish passage barrier to migratory anadromous fish, including the federally and state listed endangered Southern steelhead. The barrier is a leap and velocity barrier immediately downstream of the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision bridge. The barrier is comprised of the bridge structural support elements a concrete crest, the grouted rock drop structure, two 30-inch diameter sewer pipelines crossing downstream of the bridge, and a 30-foot scour hole created over time via erosion due to the flashy nature of the waterway.

Proposed barrier remediation consists of a bypass roughened channel fishway located on the right bank of the stream beneath and downstream of the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision bridge on Trabuco Creek. Because the concrete channel passes under the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision bridge, the bridge structure is not exposed to flow, and therefore, hydraulic capacity and scour are not significant design considerations for the passage. The proposed improvements do not require modification of the bridge but do modify the elevation of the crest and reduce the cover on the pier foundation.

The fishway has a fall from exit (upstream end) to entrance (downstream end) of approximately 19.5 feet and is designed with an overall slope of 4.3%. The roughened channel is slightly curved to follow the existing channel alignment. It extends approximately 456 feet from the top of the drop structure and discharges into a turning pool that connects to the fishway entrance channel. The roughened channel fishway consists of a series of chutes and pools. Approximately half the length of the roughened channel will be composed of rock and streambed material over native material ("soft bottom"), and the upstream half is within concrete walls with a concrete floor.

The existing grouted rock drop structure was installed for the protection of existing utilities. The structure will be modified to provide safe downstream passage over the crest and narrowed to accommodate the proposed fishway along the righthand side. Additionally, a concrete stilling basin with chute blocks and baffle piers will be constructed to provide adequate energy dissipation. The design for the drop structure and stilling basin follows United States Department of the Interior Bureau of Reclamation standards. Orange County Flood Control District design standards include structural design criteria for material strengths, loads, design methods, and design criteria for reinforced concrete that are applicable to the proposed modifications.

Directly beneath the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision bridge, a public multi-use trail also crosses Trabuco Creek. The trail is primarily used by recreational hikers, bikers, and the local equestrian community. Approaching the bridge from the upstream side, the trail parallels Trabuco Creek along its right bank. Once directly under the bridge, the trail turns sharply left and crosses over the creek on the downstream side of the bridge's pier foundation and adjacent to the edge of the drop structure. Once across the creek, the trail continues downstream parallel to the creek along its left bank.

The multi-use trail will be modified as part of this construction project. Once directly under the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision bridge, the trail will be rerouted to cross Trabuco Creek and the designed fishway on the upstream side of the bridge's existing pier foundation. Relocating this crossing to the upstream side of the pier foundation will improve safety as trail-users will not have to cross over the creek precariously close to the edge of the drop structure as they currently must in its existing orientation. Additionally, an elevated bridge will be constructed so trail-users will not have to cross the creek directly through the streambed/designed fishway, improving safety. This elevated crossing will remain dry during low flow periods. The crossing may become flooded during higher flows following significant precipitation events. Gates will be installed immediately upstream and downstream of the crossing, and to ensure public safety, these gates will be closed preventing public access and crossing when higher flows overtop the elevated crossing. The City of San Juan Capistrano will be responsible for restricting access when precipitation meets or exceeds two-year rain events. A Cooperative Agreement will be drafted and in place outlining the procedures and responsibilities prior to completion of the project and restoration of public access. Currently, there are no safety measures in place to prevent public access during periods of higher flow. Finally, the concrete surface of the crossing will be engineered to provide improved traction and safety for all recreational trail-users.

7. At the proposed crossing, the Metrolink Rail mile post is 195.81, the proposed CPUC crossing number is 101OR-195.81-BD, and the proposed DOT crossing number is 977320A.

- 8. The location description for the proposed Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision crossing at mile post 195.81 (Proposed Federal DOT# 997302A and CPUC Crossing No. 101OR-195.81-BD) can be further described by the geographic coordinates and project description provided in Exhibit A (Rule 3.7 (a)), attached hereto and made a part hereof.
- 9. The crossing identification numbers of the nearest existing public crossings on each side of the proposed crossing (Rule 3.7(b)) are as follows:

The nearest crossing to the north is at Rancho Capistrano and the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision track in the County of Orange, with CPUC No. 101OR-194.32 and DOT No. 026782R.

The nearest crossing to the south is at Oso Rd and the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision track in the County of Orange, with CPUC No. 101OR-196.10 and DOT No. 026785L.

10. Fish Passage Design for the Metrolink Barrier in Trabuco Creek Project vicinity maps (Rule 3.7 (d)(e)) are provided in Exhibit B, attached hereto and made a part hereof. Project design drawings further describing the project vicinity, orientation, and plan (Rule 3.7 (d)(e)) are also provided in Exhibit C, attached hereto and made a part hereof. A ground line and grade line profile (Rule 3.7 (f)) is not included as no roads, highways, or railroads will be affected by the proposed crossing.

Clearances for the proposed crossing would not be subject to General Order 26-D as the proposed public multi-use trail is for recreational activities such as hiking, biking, and equestrian use. This trail is not a public road, highway, or street, and public vehicular use and access will be prohibited.

- 11. Permitting for the project has progressed over the past six years to include a draft CEQA Initial Study, supplemented by meetings with regulatory agencies including U.S. Army Corps of Engineers, San Diego Regional Water Quality Control Board, California Department of Fish & Wildlife, U.S. Fish and Wildlife Service, and National Marine Fisheries Service. The corresponding 404, 401, Lake and Streambed Alteration permit applications were prepared in early work by a permitting consultant. This project is positioned to utilize a new Statewide Restoration General Order for large restoration projects led by the CA State Water Board, whereby the Project meets conditions of the Programmatic EIR supporting the General Order (Rule 2.4). The Project passed preliminary review by the San Diego Regional Water Quality Control Board for coverage under the General Order, which will be supplemented with mitigation measures that align with the Order over the next five months. Due to the different jurisdictional responsibilities at the I-5 and Metrolink project sites, the San Diego Regional Water Quality Control Board is requested to be CEQA lead. Funding through NOAA will facilitate NEPA permit preparation, building on the permitting work completed to date.
- 12. Attached hereto as Exhibit D are local Letters of Support.
- 13. Attached hereto as Exhibit E is the Certificate of Service for this application.

14. Attached hereto as Exhibit F is the Verification for this application.

### WHEREFORE, the Applicant respectfully requests:

- That the Public Utilities Commission of the State of California issue an Order authorizing construction of the public multi-use trail crossing beneath the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision bridge at Milepost 195.81 (Proposed Federal DOT# 997302A and CPUC Crossing No. 1010R-195.81-BD) pursuant to the provisions of Section 1201-1205, inclusive, of California Public Utilities Code.
- 2. That the Order provides thirty-six (36) months from the date of such an Order within which to complete the work requested.

Signed\_

Joel Rojas Director of Development Service City of San Juan Capistrano 32400 Paseo Adelanto San Juan Capistrano, CA 92675

Tel: (949) 234-4410

jrojas@sanjuancapistrano.org

### **List of Exhibits**

**Exhibit A** Crossing Site Description

**Exhibit B** Project Site Maps

B1 – Vicinity Map 1

B2 – Vicinity Map 2

**Exhibit C** Project Site Drawings

C1 – 90% Fish Passage Design for the Metrolink Barrier in Trabuco Creek

C2 – Metrolink Grading Plan

C3 – Fishway Plan & Profile

C4 – Drop Structure Part Plan

C5 – Multi-Use Trail Plan & Profile

C6 – Metrolink Fish Passage Design: 3D Rendering, Aerial View

C7 – Metrolink Fish Passage Design: 3D Rendering, Upstream View

C8 – Metrolink Fish Passage Design: 3D Rendering, Multi-Use Trail -

Aerial View

C9 – Metrolink Fish Passage Design: 3D Rendering, Multi-Use Trail -

Grade-Level, Downstream View

**Exhibit D** Local Project Support

**Exhibit E** Certificate of Service

**Exhibit F** Verification

### Exhibit A

### **Crossing Site Description**

Crossing Name: Trabuco Creek Trail UP

Assigned DOT No.: 977320A

**CPUC No.:** 101OR-195.81-BD

**Metrolink Rail Milepost:** 195.81

**Project Site Coordinates:** 33.520557, -117.671486

**Nearest Crossings:** 

Nearest crossing to the north: Rancho Capistrano

Mile post: 194.32 DOT #: 026782R

CPUC #: 101OR-194.32

Nearest crossing to the south: Oso Rd

Mile post: 196.10 DOT #: 026785L

CPUC #: 101OR-196.10

City: City of San Juan Capistrano

County: Orange County

### **Project Description:**

The Project, in the City of San Juan Capistrano, is a fish passage barrier to migratory anadromous fish, including the federally and state listed endangered Southern steelhead. The barrier is a leap and velocity barrier immediately downstream of the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision bridge. The barrier is comprised of the bridge structural support elements – a concrete crest, the grouted rock drop structure, two 30-inch diameter sewer pipelines crossing downstream of the bridge, and a 30-foot scour hole created over time via erosion due to the flashy nature of the waterway.

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procedures and responsibilities prior to completion of the project and restoration of public access. Currently, there are no safety measures in place to prevent public access during periods of higher flow. Finally, the concrete surface of the crossing will be engineered to provide improved traction and safety for all recreational trail-users.

### Exhibit B

## Project Site Maps

Exhibit B1. Vicinity Map 1

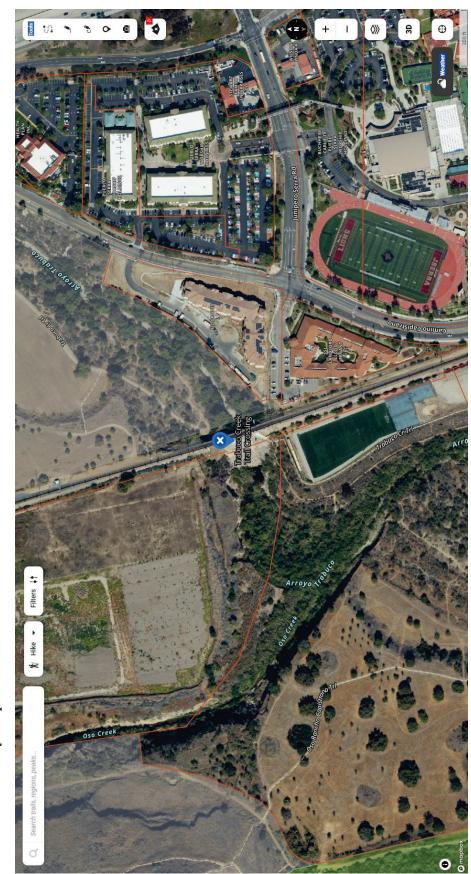
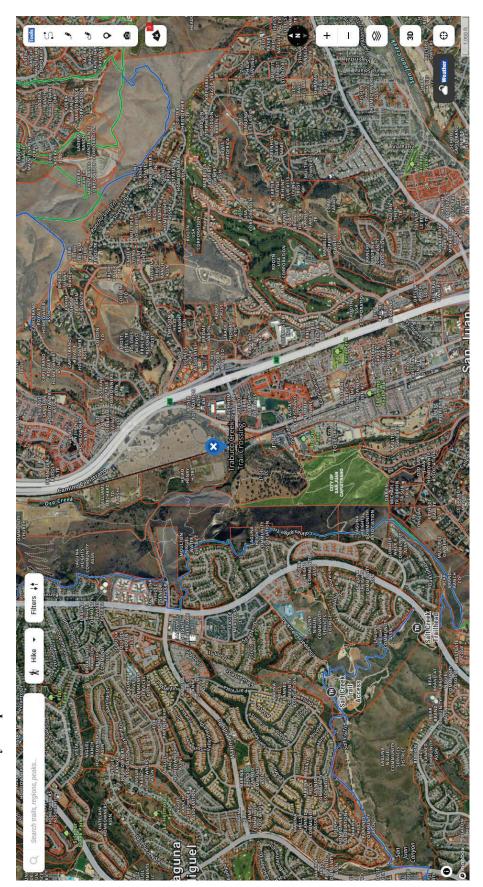


Exhibit B2. Vicinity Map 2



### Exhibit C

# **Project Site Drawings**

Exhibit C1. 90% Fish Passage Design for the Metrolink Barrier in Trabuco Creek

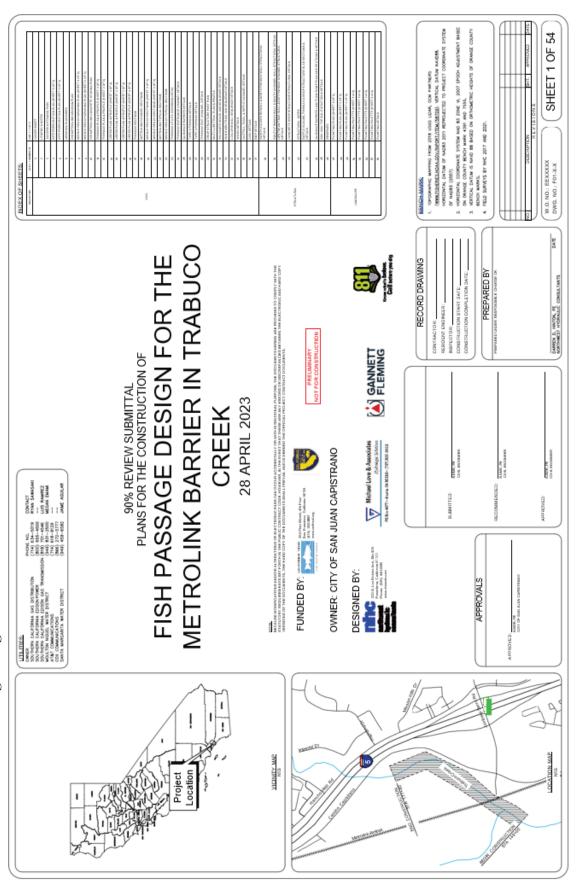


Exhibit C2. Metrolink Grading Plan

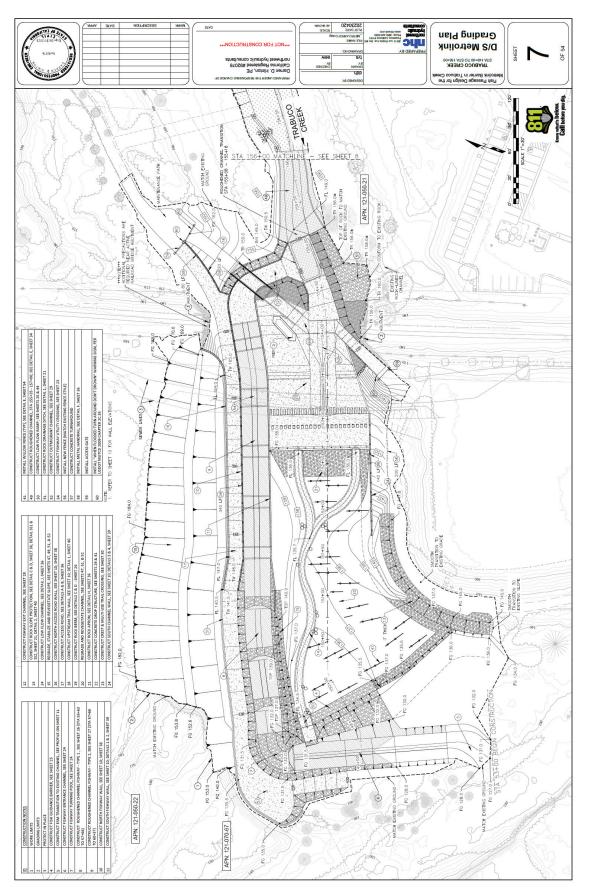


Exhibit C3. Fishway Plan & Profile

NETRO ARROY PLOT DATE 20230420 nhice in the consultants Drop Structure Part Plan 29 Darren D. Hinton, PE California Registered #92076 northwest hydraulic consultant 2 4 4 4 4 4 4 PROFILE

2+00

HORE, T=20

VERT. T = 4

SCALE: T=30

VERT. T = 4 154 154 155 156 157 158 158 138 138 EXPANSION JOINT WITH ELASTOMERIC SEALANT 0 2 4 4 4 4 4 4 4 4 0 PROFILE
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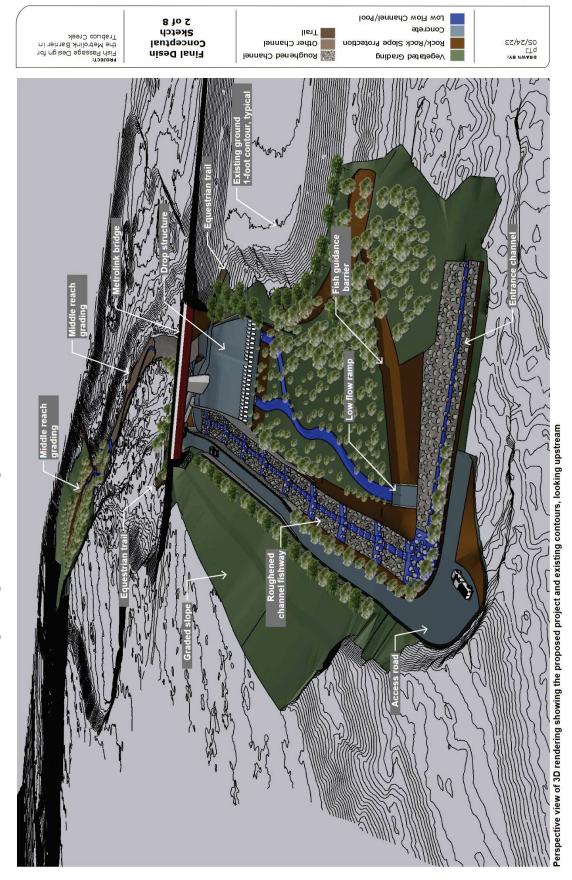
SCALE 1 = 20

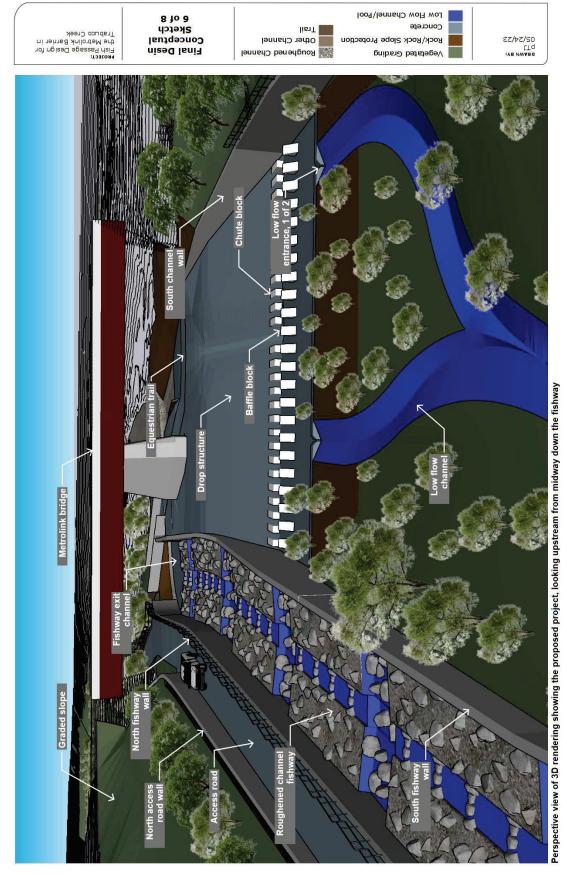
VERT. 1 = 4 6+1 156 157 158 138 138 138 Loop to 0.10

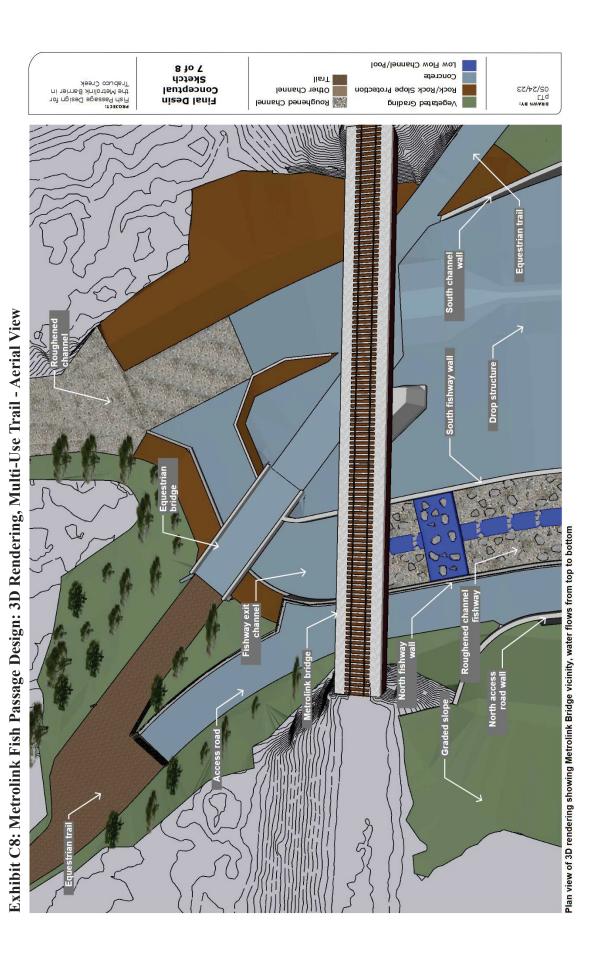
DUTMIGRANT CHANNEL SECTION - STA 2+27.32 COUTMIGRANT CHANNEL SECTION - STA 2+12.31 B OUTMIGRANT CHANNEL SECTION - STA 1+43.75 A LOW FLOW ENTRANCE

Exhibit C4. Drop Structure Part Plan

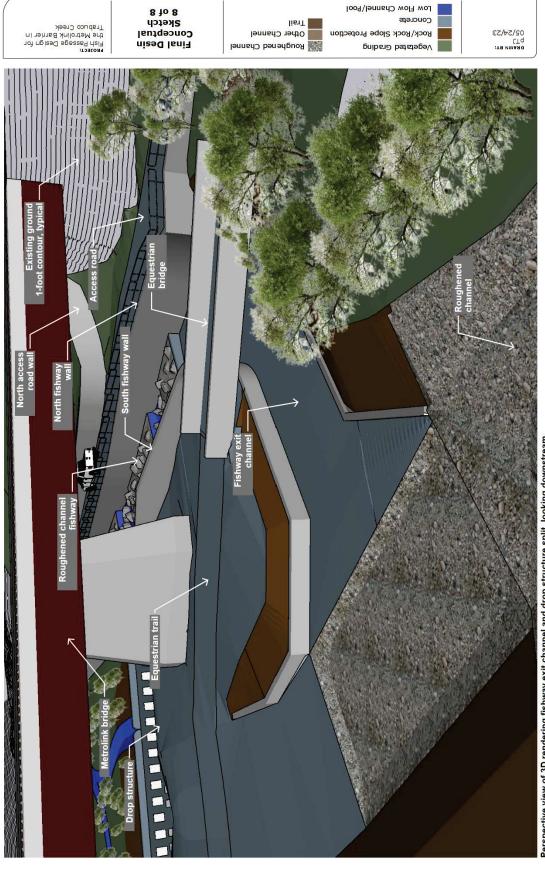
Exhibit C5. Multi-Use Trail Plan & Profile







[20]



Low Flow Channel/Pool

Rock/Rock Slope Protection

Concrete

Perspective view of 3D rendering fishway exit channel and drop structure split, looking downstream

### Exhibit D

### **Local Project Support**



### UNITED STATES DEPARTMENT OF COMMERCE National Oceanic and Atmospheric Administration NATIONAL MARINE FISHERIES SERVICE West Coast Region 501 West Ocean Boulevard, Suite 4200 Long Beach, California 90802-4250

### October 3, 2023

Melanie Gange, Fisheries Restoration Programs NOAA Office of Habitat Conservation 1315 East-West Highway, 14th Floor Silver Spring, MD 20910

Re: Letter of Support for California Trout's Project Proposal "Construction of Steelhead Fish Passage Structures at I-5 and Metrolink Bridges on Trabuco Creek in Orange County, CA"

Dear Ms. Gange,

NOAA's National Marine Fisheries Service (NMFS) supports California Trout's proposal to remediate the impacts of the Interstate 5 and Metrolink bridges on endangered steelhead (*Oncorhynchus mykiss*) in lower Trabuco Creek, a tributary to San Juan Creek. If implemented, the proposal will restore volitional passage for this highly imperiled species and, by extension, address a high priority recovery action in NMFS' Southern California Steelhead Recovery Plan¹ (Plan).

The watershed and proposal represent an excellent opportunity to contribute to the recovery of endangered steelhead. San Juan Creek is designated a "Core 1 population" in the Plan, which means the watershed has the highest priority for recovering steelhead.

Moreover, the recent removal of 80 check dams in the upper watershed by the Cleveland National Forest ensures that the benefits of remediating the Interstate 5 and Metrolink barriers would be realized in the near term. Those benefits include restoring species access to 15 miles of historical spawning and rearing habitats in the headwaters and promoting ecological resilience in the face of projected climate change.

Thank you for your consideration of our support for the proposal. Please direct a question regarding this letter to Brittany Struck at Brittany.Struck@noaa.gov.

Anthony P Spin

Anthony P. Spina

Supervisor, Southern California Branch

California Coastal Office

NOAA Fisheries, West Coast Region

Cc: Copy to File #151422SWR2009PR00586

<sup>1</sup> National Marine Fisheries Service. 2012. Southern California Steelhead Recovery Plan. Southwest Region, Protected Resources Division, Long Beach, California. See Figure 13-2.





STATE OF CALIFORNIA • NATURAL RESOURCES AGENCY Gavin Newsom, Governor DEPARTMENT OF FISH AND WILDLIFE Charlton H. Bonham, Director

South Coast Region 3883 Ruffin Road | San Diego, CA 92123 wildlife.ca.gov

October 4, 2023

Melanie Gange, Fisheries Restoration Programs Office of Habitat Conservation 1315 East-West Highway, 14th Floor Silver Spring, MD 20910

Letter of Support: Construction of Steelhead Fish Passage Structures at I-5 and Metrolink Bridges on Trabuco Creek in Orange County, CA

Dear Melanie Gange:

The California Department of Fish and Wildlife (CDFW), South Coast Region, supports California Trout's (CalTrout) application for grant funding through NOAA's Restoring Fish Passage through Barrier Removal funding opportunity. The project entitled "Construction of Steelhead Fish Passage Structures at I-5 and Metrolink Bridges on Trabuco Creek in Orange County, CA" is poised for construction. Upon agency review/approval of the 90% design plans and approval of permitting documentation, implementation will provide community resilience coastally and protect an iconic species on the brink of extinction.

This project is designed to enable passage of Federally endangered southern California steelhead through a total barrier present at a flood control channel beneath a five-bridge array comprised of two Interstate 5 (I-5) bridges and three City owned bridges crossing Trabuco Creek in Orange County, California.

The I-5 fish passage barrier prevents steelhead from moving further upstream due to the total barriers at Metrolink bridge and I-5 bridge array. This project intends to provide juvenile and adult steelhead passage through this total barrier at the Interstate 5 bridge array on Trabuco Creek and thereby provide access to 15 miles of upstream high-quality habitat in the San Juan Creek watershed. This project will also provide 128 acres of improved habitat in the immediate vicinity of the project site through conceptual design for riparian restoration at sites flanking the bridges.

This multi-benefit project will improve community resilience to improve aging infrastructure, provide flood management, enhance channel stability, reduce property erosion, and provide long-lasting ecological benefits for aquatic species. The project leverages the recent removal of 80 check dams upstream, led by USFS in the Cleveland National Forest, to implement a truly landscape-

wildlife.ca.gov

### DocuSign Envelope ID: 393D6DC6-0A71-492F-9BA1-F783CEEDBFD8

Melanie Gange Office of Habitat Conservation October 4, 2023 Page 2 of 2

scale ecological restoration that integrates fish passage into urban transportation infrastructure and community resiliency planning.

If you have any questions or comments, please do not hesitate to contact Richard Burg, Environmental Program Manager, at (858) 467-4209 or Richard.Burg@wildlife.ca.gov.

Sincerely,

DocuSigned by:

Victoria Tang

Acting Regional Manager

South Coast Region



### Juaneño Band of Mission Indians

### Acjachemen Nation

October 11, 2023

Melanie Gange, Fisheries Restoration Programs Office of Habitat Conservation 1315 East-West Highway, 14th Floor Silver Spring MD 20910

RE: "Construction of Steelhead Fish Passage Structures at I-5 and Metrolink Bridges on Trabuco Creek in Orange County, CA"

Dear Ms. Gange:

I am writing in support of California Trout 's application for grant funding through NOAA's Restoring Fish Passage through Barrier Removal funding opportunity. The project entitled "Construction of Steelhead Fish Passage Structures at I-5 and Metrolink Bridges on Trabuco Creek in Orange County, CA" is poised for construction. Upon agency review/approval of the 90% design plans and approval of permitting documentation, implementation will provide community resilience coastally and protect an iconic species on the brink of extinction.

This project is centered in lower trabuco creek, near many of our ancestral villages. CalTrout is partnering with over a dozen federal, state, tribal and local entities to successfully complete this project.

This multi-benefit project will improve community resilience to improve aging infrastructure, provide flood management, enhance channel stability, reduce property erosion, and provide long-lasting ecological benefits for aquatic species. The project leverages the recent removal of 80 check dams upstream, led by USFS in the Cleveland National Forest, to implement a truly landscape-scale ecological restoration that integrates fish passage into urban transportation infrastructure and community resiliency planning.

This project is an important step toward ecological resilience in coastal Southern California. Please give CalTrout's application for NOAA Fish Passage program funds your full and fair consideration. If you have any questions for me about my support, please contact me.

Sincerely,

Joyce Stanfield Perry, Cultural Resource Director

Joyce Starteld Perry

32211 Los Amigos, San Juan Capistrano, California 92675 ◊ (949) 293-8522 ◊ kaamalam@gmail.com



County Administration South 601 North Ross Street Santa Ana, CA 92701

P.O. Box 4048 Santa Ana, CA 92702

(714) 667-8800

info@ocpw.ocgov.com

OCPublicWorks.com



Administrative



OC Development



OC Facilities Design & Construction



OC Facilities Maintenance



OC Fleet Services



OC Construction



OC Environmental



OC Operations & Maintenance



OC Infrastructure Programs





### October 11, 2023

Melanie Gange, Fisheries Restoration Programs Office of Habitat Conservation 1315 East-West Highway, 14th Floor Silver Spring, MD 20910

Subject: Letter of Support for the Construction of Steelhead Fish Passage Structure at I-5 and Metrolink Bridge on Trabuco Creek in Orange County, CA

### Dear Ms. Gange:

This letter This letter is to express Orange County Public Works Department (OCPW) support of the California Trout's (CalTrout) application for the subject project (Project) to receive NOAA's Restoring Fish Passage through Barrier Removal grant funding. This Project is a collaborative effort among federal, state, tribal, local, and private entities to restore migratory fish passage on a reach of Trabuco Creek (Creek) in Orange County, California that has two major blockage points, one beneath the Interstate 5 (I-5) crossing and a second at the Metrolink Railway crossing, location one-half mile further downstream that lies outside Orange County Flood Control District (OCFCD) jurisdiction and rights-of-way. OCFCD's purview of the Project, therefore, only affects portions of the I-5 crossing.

At the I-5 crossing, there is a combination of flood control and transportation infrastructure, including an array of five bridges, a concrete channel with an inlet apron, and an outlet energy dissipater with a grouted riprap transition. The Project proposes to alleviate this barrier by installation of nature-based pool and chute fish passage structures on segments of the Creek that OCPW operates and maintains as an OCFCD regional flood control facility. Similarly, the Project proposes to place fish passage structures and remove a 30-ft vertical drop barrier at the Metrolink Railway location. Remediation of these barriers would help provide steelhead access to 15 miles of upstream historic spawning and rearing habitat in the headwaters and provide community resilience in an urbanized setting. Removal of these fish passage barriers is identified as a priority action in the National Marine Fisheries Service (NMFS) Southern California Steelhead Recovery Plan (NMFS 2012).

CalTrout and partners have worked for nearly a decade to produce engineering designs which can be viewed at https://caltrout.org/news/a-bridge-runs-through-it.Through the OCPW permit process, CalTrout's Project plans within OCFCD jurisdiction will be reviewed to ensure compatibility with needed flood protection for the neighboring communities. The latest submittal was lacking technical documents to support the design, but we understand the grant will help CalTrout complete the design phase, including the needed analysis.

We recognize that this Project potentially would provide multi-benefits for Orange County residents and visitors, with habitat improvements to protect biological resources resilience that allow for sustainable fish and aquatic species passage and survival; restoration of a more natural channel morphology, invasive species management, and enhancement of riparian vegetation, natural channel features to provide flood management, enhance channel stability, reduce property erosion, and provide long-lasting ecological benefits for aquatic species. OCPW will

Subject October 11, 2023 Page 2 of 2

continue to provide information and cooperation by, among other things, reviewing Project plans within OCFCD jurisdiction via the permit process and working with CalTrout and partners on a cooperative agreement which would be brought to our Board of Supervisors (Board) for approval that addresses ongoing operation and maintenance. Initiation of any Project installation or construction work within OCFCD jurisdiction will require that Caltrout has entered into a cooperative agreement with OCFCD that has been approved by our Board.

Therefore, we support CalTrout's submittal to the NOAA Restoring Fish Passage through Barrier Removal grant funding for this Project. If you have any questions, please contact me at 714-647-3906 or <a href="mailto:narrier">nardy.khan@ocpw.ocgov.com</a>.

Sincerely,

Mardy Kran, PE/PMP OC Public Works

Deputy Director, Infrastructure Programs

32400 PASEO ADELANTO SAN JUAN CAPISTRANO, CA 92675 (949) 493-1171 (949) 493-1053 FAX www.sanjuancapistrano.org



MEMBERS OF THE CITY COUNCIL

TROY BOURNE JOHN CAMPBELL SERGIO FARIAS HOWARD HART JOHN TAYLOR

September 6, 2023

Melanie Gange, Fisheries Restoration Programs Office of Habitat Conservation 1315 East-West Highway, 14th Floor Silver Spring MD 20910

RE: "Construction of Steelhead Fish Passage Structures at I-5 and Metrolink Bridges on Trabuco Creek in Orange County, CA"

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I am writing in support of California Trout 's application for grant funding through NOAA's *Restoring Fish Passage through Barrier Removal* funding opportunity. The project entitled "Construction of Steelhead Fish Passage Structures at I-5 and Metrolink Bridges on Trabuco Creek in Orange County, CA" is poised for construction. Upon agency review/approval of the 90% design plans and approval of permitting documentation, implementation will provide community resilience coastally and protect an iconic species on the brink of extinction.

Southern California is the prism through which endangered species, water supply, transportation, public safety, flood control, residential development, tribal influence, and cultural history converge on the central challenge of maintaining healthy waterways for people and wildlife in urbanized coastal California. The fish passage project at the Interstate 5 Bridge Array and Metrolink Railroad Bridge crossing Trabuco Creek addresses one of the most significant fish passage barriers in Southern California. Given its scale, it will bring in >\$40M in jobs and economic benefits to the City of San Juan Capistrano and County of Orange over a period of three years starting in 2025.

This fish passage project is regionally unique in that it combines the latest in hydraulic engineering and infrastructure stabilization with restoration of sensitive riverine ecosystems and recreational access. The proposed nature-based pool and chute fish passage structures are bold solutions for steelhead migration barriers associated with two main transportation arteries in coastal Southern California. Remediation of these barriers, separated by one-half mile in the lower watershed, provides steelhead access to 15 miles of upstream historic spawning and rearing habitat in the headwaters, and provides community resilience in an urbanized setting.

Construction of Steelhead Fish Passage Structures Page 2 of 2 September 29, 2023

CalTrout is partnering with over a dozen federal, state, tribal and local entities to successfully complete this project. This project is centered in lower Trabuco Creek near the historic villages of the Acjachemen, who are partners in this restoration vision. CalTrout and partners have worked for nearly a decade to produce the engineering designs for the technically complex hydraulic solutions -- moving them through 65% design, physical modeling, and final design. A look at the impressive design and infrastructure improvements is at: <a href="https://caltrout.org/news/a-bridge-runs-through-it">https://caltrout.org/news/a-bridge-runs-through-it</a>

This multi-benefit project will improve community resilience to improve aging infrastructure, provide flood management, enhance channel stability, reduce property erosion, and provide long-lasting ecological benefits for aquatic species. The project leverages the recent removal of 80 check dams upstream, led by USFS in the Cleveland National Forest, to implement a truly landscape-scale ecological restoration that integrates fish passage into urban transportation infrastructure and community resiliency planning.

This project is an important step toward ecological resilience in coastal Southern California. Please give CalTrout's application for NOAA Fish Passage program funds your full and fair consideration. If you have any questions for me about my support, please contact me.

Sincerely,

Joel Rojas

**Development Services Director** 



October 13, 2023

Melanie Gange Office of Habitat Conservation, Fisheries Restoration Programs 1315 East-West Highway, 14th Floor Silver Spring MD 20910

Dear Ms. Gange,

I write to request full and fair consideration of California Trout's (CalTrout) application to NOAA's Restoring Fish Passage through Barrier Removal funding opportunity. CalTrout's project titled Construction of Steelhead Fish Passage Structures at I-5 and Metrolink Bridges on Trabuco Creek in Orange County, CA, is poised for construction. The successful implementation of the project would provide coastal community resilience and protect an iconic species on the brink of extinction.

The fish passage project at the Interstate 5 Bridge Array and Metrolink Railroad Bridge crossing Trabuco Creek addresses one of the most significant fish passage barriers in Southern California. Given its scale, the project is estimated to bring in more than \$40 million in jobs and economic benefits to the City of San Juan Capistrano and County of Orange over a period of three years starting in 2025.

This project is regionally unique in that it combines the latest in hydraulic engineering and infrastructure stabilization with restoration of sensitive riverine ecosystems and recreational access. The proposed nature-based pool and chute fish passage structures have shown potential to be bold solutions for steelhead trout migration barriers associated with two main transportation arteries in Southern California. Remediation of these barriers, separated by one-half mile in the lower watershed, could provide steelheads with access to 15 miles of upstream historic spawning and rearing habitat in the headwaters, contributing to community resilience.

This multi-benefit project demonstrates the potential to take a step towards community resilience, improve aging infrastructure, provide flood management, enhance channel stability, reduce property erosion, and provide long-lasting ecological benefits for aquatic species. CalTrout has partnered with over a dozen federal, state, tribal and local entities to successfully complete this project. Additionally, the project leverages the recent removal of 80 check dams upstream, led by U.S. Forest Service in the Cleveland National Forest, to implement a truly landscape-scale-ecological restoration that integrates fish passage into urban transportation infrastructure and community resiliency planning.

I appreciate your full and fair consideration of this application. Please contact me or my staff if you have any further questions.

Sincerely,

Wille Lev

Mike Levin

Member of Congress

### **Exhibit E**

### **Certificate of Service**

I, Nathan Yancheff (Project Manager, California Trout, Inc), on behalf of the City of San Juan Capistrano, certify that I have this day e-mailed a copy of the attached Application and Exhibits in the above captioned proceeding to each party named in the following service list, on this

11th day of August (month), 2025.

By: X Nathan Gancheff

Nathan Yancheff – Project Manager

California Trout, Inc

### **Service List:**

### 1. Roger Clugston

Director - Rail Safety Division California Public Utilities Commission 505 Van Ness San Francisco, CA 94102 Roger.clugston@cpuc.ca.gov

### 2. Antranig Garabetian, P.E.

Program Manager – Rail Crossings and Engineering Branch – Rail Safety Division California Public Utilities Commission 320 W 4<sup>th</sup> St, Suite 500 Los Angeles, CA 90013 Antranig.garabetian@cpuc.ca.gov

### 3. Matthew Bond, P.E., T.E

Program and Project Supervisor – Rail Crossings and Engineering Branch – Rail Safety Division

California Public Utilities Commission 320 W 4<sup>th</sup> St, Suite 500 Los Angeles, CA 90013

Matthew.bond@cpuc.ca.gov

### 4. Anh Truong, P.E.

Senior Utilities Engineer – Rail Crossings and Engineering Branch – Rail Safety Division California Public Utilities Commission 320 W 4<sup>th</sup> St, Suite 500 Los Angeles, CA 90013 Anh.truong@cpuc.ca.gov

### 5. **Howard Huie**

Utilities Engineer – Rail Crossings & Engineering Branch – Rail Safety Division California Public Utilities Commission 320 W 4<sup>th</sup> St, Suite 500 Los Angeles, CA 90013 Howard.huie@cpuc.ca.gov

### 6. Joel Rojas

Director of Development Services City of San Juan Capistrano 32400 Paseo Adelanto San Juan Capistrano, CA 92675 jrojas@sanjuancapistrano.org

### 7. Sandra Jacobson, Ph.D.

Director – South Coast Region California Trout, Inc 411 Camino del Rio S, Suite 106 San Diego, CA 92108 sjacobson@caltrout.org

### **Exhibit F**

### Verification

I am an officer of the City of San Juan Capistrano, Applicant herein, and am authorized to make this verification on its behalf. The contents of this document are true of my own knowledge, except as matters that are stated on information or belief, and as to those matters, I believe them to be true.

Dated this 11th day of August, 2025.

Signed \_

Joel Rojas

Director of Development Services City of San Juan Capistrano

32400 Paseo Adelanto

San Juan Capistrano, CA 92675

jrojas@sanjuancapistrano.org

Tel: (949) 234-4410