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TO: Roger Clugston, Director, Rail Safety Division, California Public Utilities Commission

10:53 AM

FROM: Nathan Yancheff, Project Manager (California Trout)

A2509010

DATE: August 25, 2025

SUBJECT: 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 – Environmental and Social Justice Action Plan

Background Information

The ESJ action plan consists of nine main goals to ensure that ESJ communities participate in the CPUC decision-making process and that all developments in clean energy, transportation and communication services benefit all communities, as follows:

1. Consistently integrate equity and access considerations throughout CPUC proceedings and other efforts.
2. Increase investment in clean energy resources to benefit ESJ communities, especially to improve local air quality and public health.
3. Strive to improve access to high-quality water, communications, and transportation services for ESJ communities.
4. Increase climate resiliency in ESJ communities
5. Enhance outreach and public participation opportunities for ESJ communities to meaningfully participate in the CPUC's decision-making process and benefit from CPUC programs.
6. Enhance enforcement to ensure safety and protection for the ESJ communities.
7. Promote high road career paths and economic opportunity for residents of ESJ communities.
8. Improve training and staff development related to ESJ issues within the CPUC's jurisdiction.
9. Monitor the CPUC's ESJ efforts to evaluate how they are achieving their objectives.

Trabuco Creek Fish Passage Project Environmental and Social Justice Action Plan

The project is consistent with the ESJ's nine main goals, as follows:

1. *Consistently integrate equity and access considerations throughout CPUC proceedings and other efforts.*

A project website is available to the public that provides information on the project, its status, and proposed timeline (www.caltrout.org). Visitors to the site are also able to submit comments or questions regarding the project and access contact information for the project team. California Trout also routinely provides project information and updates to the public through its social

media platforms offering additional opportunities for the public to engage directly with the project team.

The project is situated on the ancestral lands of the Juaneño Band of Mission Indians – Acjachemen. During project design, leaders representing the Acjachemen community were invited to help inform and develop the project work scope to minimize impacts to culturally sensitive sites within the project area, provide opportunities for members of the Acjachemen community to participate in project implementation, enhance the natural habitat and promote the restoration of native and culturally-significant species, and provide funding for activities to further benefit the Acjachemen community. California Trout has secured an agreement with Payómkawichum Kaámalam (PKK), a non-profit entity with twenty-five years of experience as a cultural advocate and cultural resource manager for the Acjachemen people. Through this agreement, funding is dedicated to PKK to conduct Tribal monitoring throughout project construction, expand cultural education and public outreach, install audio and signage along the project site providing cultural education and promoting native language, conduct native plant restoration and revegetation, and for the execution of archaeological surveys and mapping of sacred sites throughout ancestral Acjachemen territory.

California Trout also engaged with the local community by participating in local government proceedings. On August 5, 2025, California Trout presented at the City of San Juan Capistrano's City Council Meeting, providing an overview of the project and requesting approval to submit the designed changes to the multi-use public trail to CPUC for authorization. During this meeting, local residents had the opportunity to provide public comment, and City officials had the opportunity to review the project. The City of San Juan Capistrano's City Council voted to approve the submission of the application to CPUC for authorization. The redesigned multi-use trail crossing underneath the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision bridge will provide enhanced access and safety to a network of trails utilized by the equestrian community as well as recreational hikers and cyclists.

Additionally, as the project progresses towards implementation, California Trout will execute open-bid processes when selecting contractors promoting equitable access to project funds and employment opportunities in the local community.

2. *Increase investment in clean energy resources to benefit ESJ communities, especially to improve local air quality and public health.*

The project will enhance public health by providing enhanced recreational safety and access to a network of public multi-use trails, updating aged flood conveyance infrastructure, improving the foundation structure that supports public transportation through the project site, providing enhanced erosion control within the riparian area of Trabuco Creek, the removal of invasive vegetation and restoration of native vegetation and fish species, and restoring a more natural hydrology to the creek.

Currently, the multi-use public trail crosses underneath the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision bridge and crosses Trabuco Creek immediately adjacent to the flood-conveyance drop structure on the downstream side of the bridge's pier foundation. Based on feedback provided by leaders within the local equestrian community, this trail crossing, as it is currently situated, is particularly difficult for the equestrian users of the trail. The material in this section of the trail offers little traction to the horses, and they are required to cross the wet portion of the creek precariously close to the edge of the drop structure. Hikers and cyclists are also required to follow this same path to cross Trabuco Creek and gain access to the network of downstream public-use trails. There are also no current measures to prevent access to this portion of the trail during times of high flows when the trail may be flooded.

The redesigned trail crossing underneath the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision bridge will route trail users traveling downstream behind the existing pier foundation and away from the drop structure. The trail path will feature an elevated bridge to allow for dry crossings throughout the majority of the year. The elevated bridge is rated to remain dry up to a 2-year precipitation event. When precipitation events exceed this threshold, access gates on either side of the trail crossing will be closed to prevent public access until flow are restored to levels that allow safe crossing. California Trout will work with the City of San Juan Capistrano to develop operational protocols regarding access and trail closures during high flow events. Additionally, the trail surface will feature roughened concrete offering improved traction throughout its course as it crosses underneath the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision bridge and over Trabuco Creek.

The existing flood conveyance structure immediately beneath the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision bridge is a grouted rock drop structure. Through decades of erosion, the ground underneath of the drop structure has been scoured creating open cavities beneath the grouted rock and jeopardizing the structural integrity of the foundation beneath the railroad as well as public utilities that cross beneath the drop structure. The redesigned flood conveyance structure will secure the foundation and provide modern flood conveyance capable of withstanding a minimum of a 100-year flow event. Adjacent stream banks will also be stabilized to reduce the rates of erosion.

Throughout the project site, water-intensive invasive vegetation will be removed, and native vegetation will be restored promoting drought and wildfire tolerance. The remediation of two fish passage barriers will restore fish passage to native anadromous fish passage promoting the restoration of an endangered iconic Southern California fish species, Southern steelhead. The remediation of these barriers will also restore a more natural flow regime to Trabuco Creek within the project area providing the potential for improved water quality by minimizing standing pools where water quality can be degraded through increased temperatures, lower dissolved oxygen, and the accumulation of toxins and contaminants.

3. *Strive to improve access to high-quality water, communications, and transportation services for ESJ communities.*

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While the project design does not attempt to increase access to transportation services for ESJ communities, it does strive modernize and improve the longevity of the foundational structures supporting local transportation services. The existing flood conveyance structure immediately beneath the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision bridge is a grouted rock drop structure. Through decades of erosion, the ground underneath of the drop structure has been scoured creating open cavities beneath the grouted rock and jeopardizing the structural integrity of the foundation beneath the railroad as well as public utilities that cross beneath the drop structure. The redesigned flood conveyance structure will secure the foundation and provide modern flood conveyance capable of withstanding a minimum of a 100-year flow event. Adjacent stream banks will also be stabilized to reduce the rates of erosion and further protecting the crucial local transportation services provided by the railway.

4. *Increase climate resiliency in ESJ communities.*

Potential climate change impacts in Southern California include, but are not limited to, increased frequency and severity of drought, increased frequency and severity of wildfire, increased in-stream water temperature, and increased precipitation event severity. The project will strive to improve climate resiliency in ESJ communities by restoring native vegetation capable of higher drought and wildfire tolerance to the project area, restoring a more natural hydrology to the creek, and improving flood control infrastructure increasing public safety and securing public transportation services.

Throughout the project site, water-intensive invasive vegetation will be removed, and native vegetation will be restored promoting drought and wildfire tolerance. The remediation of two fish passage barriers will restore fish passage to native anadromous fish passage promoting the restoration of an endangered iconic Southern California fish species, Southern steelhead. The remediation of these barriers will also restore a more natural flow regime to Trabuco Creek within the project area providing the potential for improved water quality by minimizing standing pools where water quality can be degraded through increased temperatures, lower dissolved oxygen, and the accumulation of toxins and contaminants.

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5. *Enhance outreach and public participation opportunities for ESJ communities to meaningfully participate in the CPUC's decision-making process and benefit from CPUC programs.*
(See 1. Above)
6. *Enhance enforcement to ensure safety and consumer protection for ESJ communities.*
(See 2. Above)
7. *Promote high road career paths and economic opportunity for residents of ESJ communities.*
The project is situated on the ancestral lands of the Juaneño Band of Mission Indians – Acjachemen. During project design, leaders representing the Acjachemen community were invited to help inform and develop the project work scope to minimize impacts to culturally sensitive sites within the project area, provide opportunities for members of the Acjachemen community to participate in project implementation, enhance the natural habitat and promote the restoration of native and culturally-significant species, and provide funding for activities to further benefit the Acjachemen community. California Trout has secured an agreement with P Payómkawichum Kaámalam (PKK), a non-profit entity with twenty-five years of experience as a cultural advocate and cultural resource manager for the Acjachemen people. Through this agreement, funding is dedicated to PKK to conduct Tribal monitoring throughout project construction, expand cultural education and public outreach, install audio and signage along the project site providing cultural education and promoting native language, conduct native plant restoration and revegetation, and for the execution of archaeological surveys and mapping of sacred sites throughout ancestral Acjachemen territory.

Additionally, as the project progresses towards implementation, California Trout will execute open-bid processes when selecting contractors promoting equitable access to project funds and employment opportunities in the local community.
8. *Improve training and staff development related to ESJ issues within the CPUC's jurisdiction.*
The applicant defers this CPUC goal to CPUC staff.
9. *Monitor the CPUC's ESJ efforts to evaluate how they are achieving their objectives.*

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The applicant defers this CPUC goal to CPUC staff.

Conclusion

Given the evaluation above, the project is consistent with the CPUC ESJ and the CPUC's vision of advancing equity in its programs and policies.