

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF CALIFORNIA

ASSISTANT CHIEF ADMINISTRATIVE LAW JUDGE
W. ANTHONY COLBERT, in attendance

ADMINISTRATIVE LAW JUDGE ERIC FREDERICKS, presiding

Application of the City of San Juan)	PREHEARING
Capistrano to construct a public)	CONFERENCE
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)	Application
(Proposed Federal DOT# 997302A and CPUC)	25-09-010
Crossing No. 101OR-195.81-BD) within)	
the City of San Juan Capistrano and)	
County of Orange, California.)	

REPORTER'S TRANSCRIPT
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ADMINISTRATIVE LAW JUDGE FREDERICKS: We are now on the record. The Commission will come to order. Today is January 15th, 2026, and we are conducting this prehearing conference, or PHC, remotely via Webex. I'm Eric Fredericks, and I'm the administrative law judge, or ALJ, assigned to this proceeding. This PHC pertains to Application 25-09-010 for the City of San Juan Capistrano, or may be referring to them as the "City," is seeking authority to construct a public multi-use trail crossing beneath the Southern California Regional Rail Authority, or SCRRA, or also known as Metrolink, on their Orange Subdivision bridge where it crosses the Trabuco Creek.

The City filed the application on September 24th of 2025 and filed an amended application on October 20th of the same year. The Rail Safety Division of the California Public Utilities Commission, or RSD, filed a response to the application on October 27th of 2025.

Commissioner John Reynolds is the assigned commissioner in this proceeding. Commissioner Reynolds will not be attending today. We have Pilar Manriquez, advisor to the Commissioner, in attendance.

1 The purpose of this PHC is to define the
2 parties, discuss the scope of issues, next steps, and
3 any other procedural issues that may arise in this
4 proceeding; however, nothing will be decided today, and
5 a final determination on scope and schedule will be made
6 in the scoping memo issued by the Commissioner.

7 Next, we will address the service list and take
8 appearance from the parties. We will start with the
9 City. Director Rojas, I saw you are in attendance.
10 Just one second here. Can you hear me, Director Rojas?
11 You are on mute.

12 MR. ROJAS: (No response.)

13 AC ALJ COLBERT: There should be a picture of a
14 microphone that says "mute," "unmute."

15 MR. HILL: Lower left hand.

16 ALJ FREDERICKS: Off the record.

17 (Off the record.)

18 ALJ FREDERICKS: All right. On the record. We
19 stepped away momentarily to solve some audio issues.

20 Now we will take appearance from the City.

21 Director Rojas?

22 MR. ROJAS: Yes. My name is Joel Rojas. I'm
23 the director of development services for the City of San
24 Juan Capistrano.

25 ALJ FREDERICKS: Great. And I also understand

1 you may be represented by California Trout as well?

2 MR. ROJAS: That's correct.

3 ALJ FREDERICKS: Manager Yancheff, would you
4 like to introduce yourself?

5 MR. YANCHEFF: Good afternoon. Nathan
6 Yancheff, project manager with California Trout in our
7 South Coast region working out of our San Diego regional
8 office, and with me is Sandra Jacobson. I will let her
9 introduce.

10 MS. JACOBSON: Good afternoon, everyone.
11 I'm Sandra Jacobson. I'm the director for the South
12 Coast region for California Trout based in our San Diego
13 office.

14 ALJ FREDERICKS: Thank you.

15 And now I will take appearance from the Rail
16 Safety Division.

17 Counsel Hill?

18 MR. HILL: Thank you, your Honor. Rod Hill for
19 the Rail Safety Division, and I'm joined by Rail Safety
20 Division's Mr. Garabetian, Mr. Bond, and Mr. Ko.

21 ALJ FREDERICKS: Thank you.

22 And thank you all for joining today. We are
23 also joined by Assistant Chief Administrative Law Judge
24 Anthony Colbert and other staff from the Commission as
25 well. All right. Give me just one second here.

1 Is there anyone present who is not a party but
2 wishes to become a party?

3 (No response.)

4 ALJ FREDERICKS: All right. Hearing none. The
5 service list is complete. Just one second here.
6 Switching screens again.

7 Okay. All right. Now I'd like to have the
8 City give a brief overview of this application.

9 MR. ROJAS: Yes. Can I defer to Cal Trout
10 to -- for that?

11 ALJ FREDERICKS: Yes.

12 MR. ROJAS: Okay. Then I will defer to --
13 to -- to Nate, I think, or Sandy. I don't know who is
14 going to present. Please go ahead.

15 MR. YANCHEFF: Yeah. Nathan Yancheff, project
16 manager with Cal Trout. I will present.

17 Is it okay if I share my screen and run through
18 a brief presentation with you?

19 ALJ FREDERICKS: Yes.

20 AC ALJ COLBERT: Your Honor, this is Assistant
21 Chief Colbert.

22 ALJ FREDERICKS: Yes?

23 AC ALJ COLBERT: I want to make sure that these
24 documents that are on the screen are going to be
25 provided in hard copy so they are in the record of the

1 proceeding.

2 ALJ FREDERICKS: Yes.

3 Judge Colbert, do you believe -- if everything
4 that they present is already within the record, is that
5 okay? Then we can describe it and let them know if
6 anything is not already submitted in the record.

7 AC ALJ COLBERT: If it's -- I mean, if it's in
8 the form of these documents that are -- that we are
9 seeing on screen that are going to be described in the
10 transcript, there should be a link to the documents
11 themselves.

12 ALJ FREDERICKS: Okay.

13 AC ALJ COLBERT: If -- if there is one, then
14 that's fine.

15 ALJ FREDERICKS: Okay. We'll note if the City
16 could share this PowerPoint to submit it into the
17 record -- the proceeding.

18 Are there any issues with that?

19 MR. YANCHEFF: No.

20 ALJ FREDERICKS: Okay. Great. Thank you. And
21 just for the purpose of the hearing reporter and the
22 transcript, to try to describe as much as you can of
23 your presentation.

24 MR. YANCHEFF: Okay. Is it okay to proceed at
25 this time?

1 ALJ FREDERICKS: Yes.

2 MR. YANCHEFF: Okay. Great. Thank you.

3 And is everybody able to -- to see my screen
4 okay?

5 ALJ FREDERICKS: Yes. Although, it's not in
6 the presentation mode.

7 MR. YANCHEFF: Okay. How about now?

8 ALJ FREDERICKS: It's in the notes mode now.

9 MR. YANCHEFF: Okay.

10 ALJ FREDERICKS: All right. We could -- we
11 could see the screen though, if you -- if you want to do
12 it that way.

13 MR. YANCHEFF: Okay. So if I just follow along
14 like this, will that be okay for everyone?

15 ALJ FREDERICKS: Yes.

16 MR. YANCHEFF: Okay. Great. So yes. So today
17 we will be talking about the Trabuco Creek Fish Passage
18 Project. Just to give you a little bit of background on
19 California Trout, we are a nonprofit organization
20 working throughout the state to restore watersheds
21 throughout the state for the benefit of fish, water, and
22 people with a particular focus on California's native
23 trout species.

24 So the -- the project we are talking about here
25 today, as was mentioned, is in relation to SCRRA

1 Metrolink Orange Subdivision bridge where it crosses
2 Trabuco Creek at Milepost 195.81. And the photo you see
3 on the screen here is a depiction of that bridge facing
4 west. So if you look out over the horizon in the photo,
5 that would be out towards Doheny Beach where San Juan
6 Creek ultimately terminates into the ocean and Trabuco
7 Creek is a tributary of San Juan Creek. And its
8 confluence is about a half mile to a mile or so
9 downstream from this particular site.

10 So with this particular project, the main
11 species of interest for California Trout and the
12 restoration of this project is the Southern California
13 steelhead. It is endangered at the federal and state
14 level; federally since 1997, and at the state level
15 since 2024. And this is an anadromous fish species,
16 meaning it spends a portion of its life in fresh water
17 coastal river systems and another portion of its life in
18 the ocean itself. So it will be born in these coastal
19 fresh water systems, migrate out into the ocean for a
20 couple of years before returning again to spawn. Unlike
21 a salmon where its life cycle would be completed at that
22 point, steelhead can actually repeat that cycle multiple
23 times and spawn multiple times. So that's a little bit
24 of a difference between what you may be familiar with
25 with a typical salmon species.

1 This project represents over a decade of
2 collaboration. And over that time, we have been able to
3 establish a team of industry-leading experts as well as
4 a diverse group of project partners and funders,
5 including supports from local, state, and federal
6 government agencies, including legislators as well as
7 the leadership from the local Acjachemen tribal
8 community.

9 To give you a little bit of a orientation about
10 what this project aims to achieve, down at the lower
11 section of this map where you see lower river barrier
12 removal, that is our project location where Cal Trout
13 will be remediating two fish passage barriers for
14 Southern California steelhead. Their target spawning
15 ground is in the upper watershed where you see the
16 yellow thumbtacks towards the top of the map where it
17 says "Holy Jim Canyon" and "Trabuco Creek Upper."

18 So over the past several years, the United
19 States Forest Service has performed over 81 check dam
20 removals up in the wat -- upper watershed. So this
21 project in the lower watershed really leverages the work
22 that has been done over the past several years as they
23 have really established really high-quality habitat in
24 this area for the steelhead to be able to successfully
25 spawn and rear their young once they are able to reach

1 this particular area. Because of the two barriers in
2 the stream in San Juan Capistrano, currently they are
3 not able to migrate from the ocean to this area and
4 successfully spawn and re-establish their population in
5 Trabuco Creek.

6 So now drilling down into the project site
7 itself -- so this is actually now we're downstream of
8 that subdivision bridge crossing at Trabuco Creek and
9 we're looking upstream towards Cleveland National Forest
10 and the headwaters where that target spawning area is.
11 While our project will ultimately remediate two fish
12 passage barriers, the Metrolink barrier and the I-5
13 barrier, the project portion that we will be discussing
14 today is the Metrolink barrier because that is the
15 location where the public use trail crossing is in the
16 purpose for this application to the California Public
17 Utilities Commission. But just seeing that this
18 location is smack dab in the middle of San Juan
19 Capistrano, this project really is just a perfect
20 presentation that conservation of endangered species and
21 urban development are not mutually exclusive, that the
22 two can successfully coexist.

23 So taking an even closer look at this crossing,
24 and this also depicts the current orientation of the
25 public use trail as it passes under the railroad bridge

1 and then ultimately crosses over Trabuco Creek from left
2 to right on the screen, this shows the current state of
3 the flood control structure underneath the bridge. You
4 can see down at the bottom portion of the drop structure
5 where there's a little bit of a cascading waterfall.
6 There's roughly an 8 to 10-foot cavity underneath this
7 drop structure and additional cavities as you move back
8 further underneath the structure, so this structure is
9 somewhat deteriorated and aged.

10 As part of our project, we will be improving
11 the infrastructure underneath the railroad itself and
12 strengthening that foundation. Also, I just want to
13 point out the orientation of the current status of the
14 public use trail as it crosses under the bridge and then
15 in front of the pier foundation of the bridge and then
16 has a wet crossing to reach over to the other side.

17 So this is a -- a very popular trail within the
18 equestrian community, but the equestrian community has
19 expressed safety concerns due to its -- the -- the
20 crossing's proximity to the job structure itself that
21 the horses can often be spooked by the railroad when a
22 train is crossing but also the fact that there is a wet
23 crossing here as well. We visit this site fairly
24 frequently, and this wet portion be -- can become very
25 covered in algae and can be very slippery and jeopardize

1 the footing of the equestrian users as they try to make
2 that crossing.

3 Some of the benefits of this project include
4 obviously removing the barriers to fish passage but also
5 improves flood security with the redesign, which I will
6 go through a little bit further here, enhance public
7 access and safety, improved erosion control, the removal
8 of invasive vegetative species, restoration of native
9 plants, and then infusion of project funds to the local
10 economy including employment of local workers.

11 I'm going to play a -- a brief video just to
12 show what this particular area looks like in times of
13 higher precipitation events and higher flows. So you
14 can see why the fish would not be able to navigate this
15 when the water is pumping through at this level, but you
16 can also see the energy that this creates and the amount
17 of erosion on that far bank that this is just really a
18 sheer wall.

19 So as part of our project, the design will
20 control the flow how it crosses under the bridge and
21 ultimately influences that far bank as well. So there
22 will be measures installed to really control that
23 erosion and prevent it from worsening as we progress
24 into the future. In order to achieve this, it's really
25 quite a state of the art and extensive design process.

1 I'm not going to -- to walk through the -- the design
2 features here. They're very -- they can be very
3 complicated. And because of that, we've asked our
4 design team to create an animation that is a little bit
5 easier to show what the solution is to achieve this fish
6 passage crossing.

7 So I'm going to go ahead and play this
8 animation. We are looking upstream currently. The fish
9 will be entering from the Pacific Ocean and swimming
10 upstream from the right to left. And now facing
11 upstream, we will have a fish passage channel, which is
12 notated by this blue area. And you can see a lot of
13 rocks in this area as well. So the fish will enter this
14 area, swim upstream then make this hard right-hand turn
15 and enter into a nature-like fishway with a
16 pool-and-chute system where they will shoot from one
17 pool to the next. Those pools allow them ample time to
18 rest between those quick bursts of speed before they
19 navigate to the other one. These boulders are very
20 specifically sized and placed to control the amount of
21 water that is flowing through this area.

22 And as we navigate upstream up the drop
23 structure, this is where we see the new public trail
24 crossing. This is a elevated bridge, so it will be a
25 dry crossing in this area. And its orientation has been

1 rerouted behind that pier foundation to -- for anyone
2 that's using it will now be further back from that drop
3 where the new structure will be. Ultimately, they will
4 cross over and then join the network of trails further
5 downstream heading towards -- really towards Dana Point
6 and out towards the coast in that direction. This is
7 a -- a -- displaying the newly constructed drop
8 structure and flood conveyance structure.

9 After the steelhead have reached the prime
10 spawning ground in the upper watershed, they will travel
11 down that right portion, as we're looking at it now, and
12 then migrate back out to the ocean to replicate their
13 life cycle. To drill down into that a little bit
14 further, again, this is just a still view. And I will
15 point out that this is the elevated bridge trail
16 crossing. It will be gated during times of particularly
17 high flow. So there is a high flow that is overtopping
18 that crossing. There will be gates on either side of
19 this crossing that will prevent the public from
20 accessing it for -- also for improved safety. And now
21 we are upstream of the bridge looking downstream. And,
22 again, that's the view of the equestrian bridge as it
23 routes behind that pier and then turns left ultimately
24 crossing over to the other side of the creek.

25 As we move forward, construction is scheduled

1 to begin later on this year in the summer or early fall
2 and will last through quarter four of 2027. There is a
3 half mile between the Metrolink bridge and the I-5
4 project site, which will also have some restoration,
5 including native plants, re-vegetation in that area, and
6 then the I-5 project site construction will start in
7 January of 2028 and last approximately through the end
8 of 2028 and last approximately through the end of 2028.
9 An additional site restoration and re-vegetation will
10 occur up until December of 2028.

11 So that is our proposed project timeline. At
12 this point, the Metrolink portion and the public use
13 trail portion is scheduled to be completed by the end of
14 2027. But that's what I had to share with you today, so
15 if anyone has any questions, I can keep my screen up,
16 and we can drill into any of the slides or I can also
17 stop sharing at this time.

18 ALJ FREDERICKS: Does anyone have any
19 questions?

20 AC ALJ COLBERT: I do, your Honor. This is
21 Assistant Chief Colbert.

22 ALJ FREDERICKS: Go ahead.

23 AC ALJ COLBERT: My question is not necessarily
24 relevant to the Commission's jurisdiction in this matter
25 but my curiosity. Will -- on the bridge, the pedestrian

1 bridge that is going to be built over the -- the new
2 fish ladder structure and the areas adjacent to it, is
3 fishing going to be allowed?

4 MR. YANCHEFF: No. So fishing will not be
5 allowed. Currently, the law states that you can fish
6 for rainbow trout upstream of a fish passage barrier.
7 So once these barriers are remediated and the waters are
8 considered completely anadromous, at that point fishing
9 would be illegal at that time because it would be
10 considered -- it would then -- any fishing at that point
11 would meet the qualifications for the state endangered
12 species of rainbow trout or omakase.

13 AC ALJ COLBERT: So will there be signage or
14 anything or enforcement or monitoring to ensure that
15 that doesn't occur?

16 MR. YANCHEFF: Yes. So our project does have a
17 plan for public outreach and project signage. We are
18 also working with the local Acjachemen community for
19 additional project signage and educational
20 opportunities.

21 AC ALJ COLBERT: And I wasn't quite clear from
22 the -- from the -- from -- from the pictures and the
23 animation. How high will the fencing be along that
24 stretch in the -- in the part of the path in the -- the
25 pedestrian bridge that are adjacent to the -- to the

1 stream in the -- in the fish ladder system?

2 MR. YANCHEFF: Yes. So the -- the fencing
3 along the -- the bridge itself is what you're referring
4 to; correct?

5 AC ALJ COLBERT: Yes, sir.

6 MR. YANCHEFF: Okay. I -- I can check my
7 design drawings. I want to say it's in the -- in the
8 neighborhood of 8 to 10 feet, but I can -- I -- I can
9 look at my drawings here briefly and get back to you
10 shortly.

11 AC ALJ COLBERT: Okay. Thank you.

12 Thank you, your Honor.

13 ALJ FREDERICKS: All right. Any other
14 questions?

15 (No response.)

16 ALJ FREDERICKS: I do have a couple of
17 questions based upon the response. And thank you to the
18 City for submitting the response to a ruling.

19 So the -- the first question -- and this gets
20 to the schedule a little bit, which we will get into a
21 little bit later. So we noted in the prior ruling that
22 as a responsible agency under CEQA, or the California
23 Environmental Quality Act, before the Commission can
24 vote on the application request, the Commission must
25 either accept the adopted certified CEQA document

1 prepared by the lead agency or prepare its own CEQA
2 document. We understand from the -- Cal Trout's
3 response submitted by the City to question one that the
4 San Diego Regional Water Quality Control Board may be
5 the CEQA lead for the project. So what we would like to
6 know is the anticipated timeline for adoption or a
7 certification of the CEQA document by the lead agency.

8 MR. YANCHEFF: Absolutely. So we have been in
9 constant communication with the San Diego Regional Water
10 Quality Control Board. They have had a preliminary
11 review of the project along with their legal department
12 and have preliminarily accepted that role as CEQA lead.
13 Where we currently are in the -- the process is we are
14 approaching our 100 percent design. And we have a -- a
15 few of the stakeholder agencies completing their final
16 exterior -- or external engineering review. One of
17 those is SCRRA.

18 So SCRRA is currently in a design services
19 agreement contract with Cal Trout, and they have given
20 us the timeline that they will secure a consultant to
21 perform that external engineering review by the end of
22 March, and they anticipate having their final comments
23 to us by the end of April. San Diego Regional Water
24 Quality Control Board has asked for -- for those
25 comments and process to really be completed so there's

1 no additional enhancements or changes to the -- the
2 final design of the structure itself, and at that point
3 they can accept the NOI for their role as the CEQA lead.
4 So we expect that to happen towards the end of April and
5 into May.

6 ALJ FREDERICKS: Great. Thank you.

7 And another question, we understand from your
8 response to question six of the ruling, which was
9 related to providing documentation regarding the latest
10 status of engineering review by SCRRA that SCRRA has
11 been involved in the project over the past decade and --
12 and commented on the latest design. And that, as you
13 just noted, they are hiring a consultant for final
14 design.

15 Do you -- do -- have you received feedback from
16 SCRRA on concerns regarding the design of the project
17 and the impacts on the Metrolink bridge?

18 MR. YANCHEFF: At this point, we have completed
19 a -- a engineering review with OCTA. So they completed
20 their own review and provided us with design comments
21 which have already been updated into our design plan.
22 So SCRRA and OCTA will be simultaneously re-reviewing
23 the updated plans that -- as part of this process. I
24 know my original response indicated that SCRRA
25 anticipated having that consultant on board by the end

1 of 2025. I think they hit some delays in their process
2 over the holidays, so they are just getting around to
3 securing that consultant now, and they've given us that
4 revised timeline by the end of March to have that
5 consultant under contract to start reviewing the --
6 the -- the design on their end. And, again, OCTA will
7 participate in that review simultaneously with SCRRA.

8 ALJ FREDERICKS: And for court reporter (sic),
9 the OCTA is the Orange County Transportation Authority
10 that you are referring to; right?

11 MR. YANCHEFF: Correct. Yes. Sorry.

12 ALJ FREDERICKS: And they are the -- do they
13 own that section of track? If I --

14 MR. YANCHEFF: I believe they -- the --
15 the -- the relationship is they are the -- the owner of
16 the right of way and then they lease to SCRRA Metrolink
17 for the operation of the -- of their railway.

18 ALJ FREDERICKS: Okay.

19 MR. YANCHEFF: OCTA is the JPA that's
20 comprised -- that's associated. It's kind of like the
21 oversight of the Metrolink operations and SCRRA rail.
22 And it's comprised of county supervisors, mayors, and
23 that type of governmental representative. And so
24 that -- and we've been -- yeah. We've been in contact
25 with them for years regarding the project.

1 ALJ FREDERICKS: And JPA is Joint Powers
2 Authority?

3 MR. YANCHEFF: Sorry. Yeah. I live in
4 acronyms, as we all do.

5 ALJ FREDERICKS: No worries. Thank you. We
6 also have a few comments related on the other document
7 that you submitted. So we'll -- we'll be issuing a
8 ruling to get that further question because they're
9 pretty technical for the PHCs, so we'll get those to
10 you.

11 All right. We might have a few questions as we
12 go along here, but I'm going to keep going through
13 the -- the things that we need to cover and then I will
14 get back to any other questions at the end.

15 So going on to the category of the proceeding,
16 the Commission has preliminarily determined that this
17 proceeding should be categorized as ratesetting. I
18 didn't see a proposed categorization from any other
19 parties.

20 Does anyone disagree with the Commission's
21 preliminary determination of ratesetting?

22 (No response.)

23 ALJ FREDERICKS: Hearing none. I also agree
24 that the categorization of ratesetting makes sense in
25 this case and will recommend that to the Commissioner.

1 But I do want to note that the ratesetting
2 categorization triggers ex parte rules as described in
3 Article 8 of the Commission's Rules of Practice and
4 Procedure.

5 All right. We will go to the scope next. So
6 in the response to the application, RSD proposed scoping
7 issues for consideration. I took what they had in their
8 response and modified it slightly into question format.
9 And I also added one issue related to environmental and
10 social justice for -- that we will discuss today. So I
11 will go through each of these issues one by one.

12 So with the first issue, does the application
13 meet the Commission's requirements, including Rule 3.7,
14 such that the Commission should grant the City's
15 application to construct one grade-separated rail
16 crossing?

17 Number two, has the city complied with the
18 California Environmental Quality Act?

19 Number three, should the Commission grant the
20 city a period of three years from the application
21 approval date to complete the project?

22 And issue four, are there any impacts on
23 environmental and social justice communities including
24 the extent to which approval of this application impacts
25 achievement of any of the nine goals of the Commission's

1 Environmental and Social Justice Action Plan?

2 Does anyone have comments on the scope?

3 And I'll note that I appreciate the City for
4 providing that memo on the Environmental and Social
5 Justice Action Plan into the record when we asked for
6 that information in the ruling. And I'll also work with
7 the Commissioners' Office on finalizing the scope for
8 the scoping memo. Give me just one moment here.

9 Next, on to the schedule. Since there are no
10 protests to the application, I will recommend to the
11 Commissioners' Office that evidentiary hearings are not
12 necessary.

13 And I note that the City brought up earlier
14 that there was a -- looks like a timeline for completing
15 CEQA will be sometime in the spring, maybe around May,
16 as I understand. And the City also had a proposed
17 construction schedule for this project of quarter three
18 of this year. I will say that because -- because we are
19 a responsible agency of the Commission, it may be a
20 little tight for quarter three given that we won't be
21 able to issue a decision until we have that CEQA
22 information. And it does take a little bit of time to
23 issue a decision and get on the Commission's calendar
24 and such. But I do think sometime in quarter three
25 might be doable but just wanted to let you know

1 that -- that CEQA might be an issue for getting out by
2 quarter three.

3 Does anyone else have anything else to note on
4 the impacts -- or that can impact the schedule?

5 (No response.)

6 ALJ FREDERICKS: All right. I will work with
7 the Commissioners' Office on the schedule in the scoping
8 memo.

9 Is there anything else that anyone wants to
10 raise today?

11 Oh, we have a question from -- from Pilar
12 Manriquez. Pilar?

13 MS. MANRIQUEZ: Hi, Judge Fredericks. I do
14 have a question for Cal Trout regarding public safety
15 trail users during higher flows. I know that the
16 document also shared a bit of the management of closing
17 access to the crossing during higher flows. I just
18 wanted to understand that a little bit more of what
19 practices you'll be implementing during higher flows of
20 water to create public safety during the crossing or
21 maybe public outreach to ensure that the public is well
22 aware.

23 MR. YANCHEFF: Yes. So there will be gates
24 installed on either side of that crossing. So one will
25 be just upstream of the elevated bridge structure and

1 then another gate will be on the other side of
2 the -- the creek on the east -- sorry -- western side of
3 the creek. So access will be restricted from both
4 directions during those times of higher flows. We
5 anticipate the -- the stream to be overtopping that
6 elevated bridge structure in roughly two to three-year
7 rainfall precipitation events. And Cal Trout will work
8 directly with the City of San Juan Capistrano to develop
9 a cooperative agreement and operation and maintenance,
10 you know, procedure on how and when to trigger those
11 gate closings.

12 MS. MANRIQUEZ: Thank you. I appreciate that.

13 ALJ FREDERICKS: Is there a follow-up question
14 on that? Oh, somebody was speaking?

15 MR. HILL: Your Honor, this is Rod Hill with
16 Rail Safety.

17 ALJ FREDERICKS: Yes. Go ahead.

18 MR. HILL: We included in our response to the
19 application some proposed ordering paragraphs, and we
20 would request that they be included in your proposed
21 decision.

22 ALJ FREDERICKS: Great. Yes. Thank you.
23 Appreciate it. And -- and so noted.

24 MR. HILL: Thank you.

25 ALJ FREDERICKS: I did have one question about

1 the gates following up on the last -- the prior
2 question.

3 What type of gates do you anticipate will be
4 preventing access during those flood events?

5 MR. YANCHEFF: I don't have the specifics of
6 the design details, but I can consult with our
7 engineering and design team to give that information to
8 you.

9 ALJ FREDERICKS: Do you know: Are they more
10 like property access gates or are they like -- like -- I
11 assume they are not like a railroad crossing gate.

12 MR. YANCHEFF: No. It would be more
13 exclusionary than a typical railroad crossing type of
14 gate.

15 ALJ FREDERICKS: Great. Thank you.

16 Any other questions or issues anyone wants to
17 raise today? Yes.

18 MR. YANCHEFF: Yeah. Nathan Yancheff, Cal
19 Trout. Just what's the best way to provide copies of
20 the presentation itself and the CEQA documentation once
21 we receive it? Should I follow the same process of
22 submitting to the E-file portal as I have with other
23 documents?

24 ALJ FREDERICKS: Yes.

25 MR. YANCHEFF: Okay.

1 ALJ FREDERICKS: And we will also follow up
2 with a ruling sometime on our additional questions. And
3 we may have additional rulings during that time or we
4 also could work with the Commissioners' Office to issue
5 some of those questions during the scoping memo and
6 ruling as well given that we do have a little bit of
7 time with the -- the CEQA approvals still yet to come
8 so -- but I will ask on the presentation since we are
9 not rushed. But if you could upload that within the
10 next 30 days or so, I think that -- that would be okay.
11 If you need more time, just let us know in the service
12 list.

13 MR. YANCHEFF: Not a problem. Thank you.

14 ALJ FREDERICKS: Anything else?

15 All right. I want to thank everyone for their
16 participation today. I want to thank Eoanna for
17 reporting today and appreciate the work that her hearing
18 reporters do. This prehearing conference is adjourned,
19 and we are off the record.

20 (At the hour of 4:46 p.m. this matter having
21 been concluded, the Commission then
22 adjourned.)

23 * * * * *

24

25

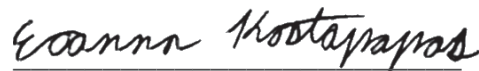
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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE
STATE OF CALIFORNIA

CERTIFICATION OF TRANSCRIPT OF PROCEEDING

I, EOANNA KOSTAPAPAS, CERTIFIED SHORTHAND REPORTER
NO. 13242, IN AND FOR THE STATE OF CALIFORNIA, DO
HEREBY CERTIFY THAT THE PAGES OF THIS TRANSCRIPT
PREPARED BY ME COMPRISE A FULL, TRUE, AND CORRECT
TRANSCRIPT OF THE TESTIMONY AND PROCEEDINGS HELD IN
THIS MATTER ON JANUARY 15, 2026.

I FURTHER CERTIFY THAT I HAVE NO INTEREST IN THE
EVENTS OF THE MATTER OR THE OUTCOME OF THE PROCEEDING.
EXECUTED THIS MARCH 12, 2026.



EOANNA KOSTAPAPAS
CSR NO. 13242

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