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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 25-09-010

ADMINISTRATIVE LAW JUDGE'S RULING RESPONDING TO PROCEDURAL QUESTIONS AND REQUESTING ADDITIONAL INFORMATION

Summary

This ruling responds to two procedural questions submitted by California Trout on behalf of the Applicant to the service list in this proceeding on August 24, 2026, concerning the environmental documentation needed to complete this proceeding and the remaining review steps and timeline. This ruling also directs the Applicant to answer two questions regarding the status of the environmental review being conducted by the San Diego Regional Water Quality Control Board. The Applicant shall provide its responses to the Commission's questions either with its next 60-day Status Update or within 30-days of the date of this ruling.

1. Background

On September 24, 2025, the City of San Juan Capistrano (Applicant) filed Application 25-09-010 (Application) to construct a public multi-use trail crossing

beneath the Southern California Regional Rail Authority (SCRRA/Metrolink) Orange Subdivision bridge at Milepost 195.81.

On October 20, 2025, the Applicant filed an amended application.

On October 27, 2025, the California Public Utilities Commission's (Commission) Rail Safety Division filed a response to the Application.

On January 15, 2026, a prehearing conference was held.

On March 25, 2026, the assigned Commissioner issued a Scoping Memo and Ruling directing the Applicant to file specified supplemental information, including responses to the Commission's hydraulic analysis questions, and to provide brief email status updates to the service list by May 1, 2026, and every 60-days thereafter until the Applicant confirms that all required documentation has been filed and the record is ready to be closed and submitted.

On April 28, 2026, California Trout, on behalf of the Applicant, filed and served its Responses to the March 25, 2026, Scoping Memo and Ruling, including responses to the Supplemental Information Request and the Hydraulic Analysis Questions.

On June 26, 2026, and again on August 21, 2026, California Trout filed 60-day status updates.

In connection with its August 21, 2026, Status Update, California Trout submitted two procedural questions to the service list by email on August 24, 2026.

2. Responses to California Trout's Procedural Questions

1. Question: What documentation is required to satisfy the outstanding item, final environmental documentation and certification, so that the Project Team can ensure the appropriate documentation is submitted for efficient review?

Response: The Commission is a Responsible Agency under the California Environmental Quality Act (CEQA) for this project. To satisfy this item, the Applicant should submit either an adopted Mitigated Negative Declaration (MND) or a certified Environmental Impact Report (EIR) for the project. The Applicant may instead submit a copy of the San Diego Regional Water Quality Control Board's decision to use the State Water Resources Control Board's General Order Programmatic EIR to approve the project. Since the Commission is acting as a CEQA Responsible Agency, only CEQA documentation is needed and separate federal environmental certifications are not required.

2. Question: After all outstanding items have been satisfied, can the Commission outline the remaining review process steps and estimated timeline to receive final approval?

Response: The schedule remains as adopted in the March 25, 2026, Scoping Memo and Ruling. The proceeding will stand submitted, closing the proceeding record, upon the Applicant's confirmation that all required documentation has been filed, unless the Administrative Law Judge or the assigned Commissioner requires additional information. A Proposed Decision will issue no later than 75 days after submission, and the Commission may vote on the Proposed Decision no sooner than 30 days after it is issued.

3. Questions for the Applicant

To assist the Commission in reviewing the environmental documentation referenced in California Trout's August 21, 2026, status update, the Applicant shall respond to the following:

1. What does the acronym NOA stand for where the Status Update states that a draft NOA has been prepared by the San Diego Regional Water Quality Control Board?

2. Is the San Diego Regional Water Quality Control Board preparing a Negative Declaration, an MND, or an EIR for the project?

The Applicant shall provide its responses to these questions either with its next 60-day Status Update or within 30 days of the date of this ruling.

IT IS SO RULED.

Dated October 8, 2026, at San Francisco, California.

/s/ ERIC FREDERICKS

Eric Fredericks
Administrative Law Judge