

Decision 25-06-053 June 26, 2026

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the Los Angeles County Metropolitan Transportation Authority for authority to construct a pedestrian underpass grade separation at the Metrolink Burbank Airport- North Station, in the City of Burbank, Los Angeles County, on the Southern California Regional Rail Authority's Valley Subdivision at Mile Post 13.60 (Proposed CPUC Number 101VY-13.60-BD and USDOT Number 977 323 V.

Application 24-10-020

**DECISION AUTHORIZING LOS ANGELES COUNTY METROPOLITAN
TRANSPORTATION AUTHORITY TO CONSTRUCT A NEW
PEDESTRIAN UNDERPASS CROSSING ON THE SOUTHERN
CALIFORNIA REGIONAL RAIL AUTHORITY VALLEY
SUBDIVISION AT MILEPOST 13.60**

Summary

This decision approves Los Angeles County Metropolitan Transportation Authority's application to construct a new public pedestrian underpass crossing below the Southern California Regional Rail Authority Valley Subdivision at Milepost 13.60, at the Metrolink Burbank Airport - North Station, in the City of Burbank. The crossing is proposed California Public Utilities Commission Crossing Number 101VY-13.60-BD and proposed United States Department of

Transportation Crossing Number 977323V. The work must be completed within three years from the issuance date of this decision.

Application 24-10-020 is closed.

1. Factual and Procedural Background

On October 23, 2024, the Los Angeles County Metropolitan Transportation Authority (LACMTA) filed Application 24-10-20 (Application) for authority to construct a pedestrian underpass grade separation crossing at the Metrolink Burbank Airport - North Station, in the City of Burbank.

On November 18, 2024, the California Public Utilities Commission (Commission) Rail Safety Division (RSD) filed and served a response to the Application.

On January 8, 2025, the Commission held a prehearing conference virtually on the Webex platform.

On February 24, 2025, the assigned Commissioner issued a Scoping Memo and Ruling (Scoping Ruling).

2. Submission Date

This matter was deemed submitted upon issuance of the Scoping Ruling on February 24, 2025.

3. Jurisdiction

The Commission has jurisdiction over railroad crossings pursuant to Public Utilities (Pub. Util.) Code Sections 1201-1202. Rule 3.7 of the Commission's Rules of Practice and Procedure (Rules) govern applications to construct a public road across a railroad.

4. Issues Before the Commission

The Scoping Ruling identified the following issues to be determined:

1. Does the application meet all the Commission's requirements – including Rule 3.7 – such that the Commission should grant LACMTA's application to construct a rail crossing?
2. Has LACMTA complied with the California Environmental Quality Act?
3. Should the Commission grant LACMTA a period of three years from the application approval date to complete the project?
4. Are there any impacts on environmental and social justice communities, including the extent to which approval of this application impacts achievement of any of the nine goals of the Commission's Environmental and Social Justice Action Plan?

5. Discussion and Determination of Scoping Issues

This section will discuss and analyze the issues outlined in Section 4 of this decision.

5.1. Scoping Issue 1: Does the Application Meet All the Commission's Requirements – Including Rule 3.7 – Such that the Commission Should Grant the LACMTA's Application to Construct a Rail Crossing?

5.1.1. Background

LACMTA requests authorization to construct a new pedestrian underpass grade separation at the Metrolink Burbank Airport – North Station within the City of Burbank in Los Angeles County. The proposed crossing is part of the Brighton to Roxford Double Track Project (Project) which would add a second main track to the Southern California Regional Rail Authority (SCRRA) Valley Subdivision between railroad Mileposts 13.25 and 23.75, as well as construct a second platform at the Metrolink station. The proposed crossing would provide

safe pedestrian access from the existing south platform to the new north platform and avoid potential pedestrian conflicts with moving trains.

The Project area of the Valley Subdivision is owned by LACMTA and is operated and maintained by Metrolink. Metrolink currently operates up to 30 passenger trains per day on the line, and Union Pacific Railroad (UPRR) operates up to four freight trains per day.

5.1.2. Analysis of Compliance with the Commission's Rules, General Orders, and Safety Requirements

On February 27, 2024, RSD conducted a diagnostic review of the crossing to examine the proposed design and proposed clearances. In its response to the Application, RSD stated they found no safety issues with the proposed crossing and that the crossing complies with all the applicable requirements of the Commission's Rules and GOs. RSD recommended that the Commission approve the application and provided proposed Ordering Paragraphs for this decision.¹

Applications for the construction of a public road across a railroad must meet the requirements of Rule 3.7. LACMTA has complied with Rule 3.7(a) by providing coordinate system information and the milepost.² LACMTA has complied with Rule 3.7(b) by providing the crossing identification numbers of the nearest public crossing on each side of the proposed crossing.³ LACMTA has complied with Rule 3.7(d-f) by providing the required maps and profiles in the exhibits.

¹ Response of the Rail Safety Division at 2-4.

² Application 24-10-020 at Exhibits A-C.

³ *Id* at Exhibits B and C.

LACMTA also complied with Rule 3.7's requirement to serve applications on affected railroad corporations. LACMTA owns the property where the crossing is located and plans, develops, and provides funding for SCRRA. LACMTA notes that UPRR is a project stakeholder.

5.1.3. Determination

We agree that the Application meets all the Commission's requirements, and we grant LACMTA the authority to construct the grade separated crossing.

5.2. Scoping Issue 2: Has LACMTA Complied with the California Environmental Quality Act?

5.2.1. Commission's Role as a Responsible Agency Under CEQA

The California Environmental Quality Act (CEQA) of 1970, as amended under Public Resources Code §21000, et seq., applies to discretionary projects to be carried out or approved by public agencies. A basic purpose of CEQA is to inform governmental decision-makers and the public about potential, significant environmental effects of the proposed activities.

The LACMTA Project, and the proposed crossings within it, are subject to CEQA. As noted above, the Commission has the authority to approve a project pursuant to Pub. Util. Code §1202, and to issue a discretionary decision concerning the proposed crossings.

The lead agency is either the public agency that carries out the project,⁴ or the one with the greatest responsibility for supervising or approving the project

⁴ Title 14, California Code of Regulations (CCR) §15051(a).

as a whole.⁵ Here, LACMTA is the lead agency for the project, and the Commission is a responsible agency.

As a responsible agency under CEQA, the Commission must consider the lead agency's environmental document and findings before acting on or approving a project.⁶ The Commission is responsible for mitigating or avoiding only the direct or indirect environmental effects of those parts of the project which it decides to carry out, finance, or approve.⁷ Here, the Commission is responsible for mitigating or avoiding only the direct or indirect environmental effects of the proposed crossing.

The Commission must consider the environmental impacts as it relates to the proposed crossing of the Project. The Commission has the authority to mitigate or avoid only the direct and indirect environmental effects on those parts of the project and must approve any mitigation measures, unless the changes or alterations are infeasible for specific economic, legal, social, technical, and other considerations.⁸ The Commission must balance any unavoidable impacts against specific economic, legal, social, technical, or other benefits.

LACMTA provided a Notice of Exemption (NOE) for the Project, of which the proposed crossing is a part. The NOE was filed with the State Clearinghouse

⁵ *Id.*, §15051(b).

⁶ *Id.*, §§15050(b) and 15096.

⁷ Title 14, CCR §15096(g).

⁸ Title 14, CCR §§15091(a)(3) and 15096(g).

on May 28, 2020. The NOE noted that the project is statutorily exempt from CEQA under CEQA Guidelines Article 18 Section 15275(a).⁹

**5.2.2. Project Benefits and Impacts
as it Relates to CEQA**

As noted in Section 5.1, the Project would provide safe public access for bicyclists and pedestrians to cross under the railroad tracks at Burbank Airport - North Station.

5.2.3. Determination

We reviewed the NOE and Application and find it adequate for our decision-making purposes.

**5.3. Scoping Issue 3: Should LACMTA
Grant the County a Period of Three
Years from the Application Approval
Date to Complete the Project?**

5.3.1. Background

LACMTA's Application did not request a specific authorization time period to complete the project. RSD recommends an authorization period of 36 months, which is typical for similar applications.¹⁰

5.3.2. Determination

We find the recommendation put forth by RSD to be reasonable. LACMTA shall complete construction of the project within three years from the issuance date of this decision.

⁹ Application 24-10-020 at Attachment E.

¹⁰ Response of the Rail Safety Division at 2.

5.4. Scoping Issue 4: Are There Any Impacts on Environmental and Social Justice Communities, Including the Extent to which Approval of This Application Impacts Achievement of Any of the Nine Goals of the Commission's Environmental and Social Justice Action Plan?

5.4.1. Analysis of Alignment with the Commission's Environmental and Social Justice Action Plan

In February 2019, the Commission adopted an Environmental and Social Justice (ESJ) Action Plan with nine goals to serve as a roadmap for implementing the Commission's vision to advance equity in its programs and policies for ESJ or disadvantaged communities. The ESJ Action Plan includes goals related to health and safety, consumer protection, program benefits, and enforcement in sectors regulated by the Commission.¹¹

LACMTA submitted a memorandum¹² evaluating the Brighton to Roxford Double Track Project's alignment with ESJ Action Plan. Approximately 50 percent of the project area lies within LACMTA's Equity Focused Communities (EFCs), which are identified by concentrations of low-income households, Black, Indigenous, and other People of Color (BIPOC) residents, and households without vehicle access—factors that closely track with the CPUC's ESJ community criteria.

LACMTA's memo outlines how the proposed crossing advances several ESJ Action Plan goals:

¹¹ ESJ Action Plan at <https://www.cpuc.ca.gov/ESJActionPlan>

¹² Application 24-10-020 at Attachment E.

Goals 1 and 5: LACMTA conducted extensive outreach, including bilingual materials, mailed notices to over 10,000 addresses, and multilingual public meetings. Spanish-language resources were prioritized in line with Metro's Language Access Policy. Approximately 5,500 meeting notice flyers were distributed by foot and left at the front door of every residential address within 500 feet of the Project and a quarter mile of the Metrolink stations.

Goal 2: The Project aligns with the 2022 South Coast Air Quality Management District Air Quality Management Plan. While construction will produce temporary emissions, no long-term operational emissions are expected, and overall safety and operational efficiency will improve.

Goal 3: The new underpass would provide safe, Americans with Disabilities Act-compliant access between station platforms, supporting mobility for transit-dependent residents in surrounding neighborhoods.

Goal 4: By adding a second track, the project improves redundancy and service reliability during extreme weather events, ensuring continued transit access in climate-vulnerable areas.

Goal 6: The underpass eliminates pedestrian-rail conflicts and incorporates Commission, Federal Railroad Administration (FRA), and SCRRRA-compliant safety infrastructure, enhancing

protection for riders and adjacent communities.

Goal 7: Improved transit infrastructure supports long-term economic mobility for residents of nearby ESJ communities.

Goal 8 and Goal 9: are Commission-led efforts to implement the Action Plan and do not apply to the instant Application.

5.4.2. CalEnviroScreen Analysis

CalEnviroScreen is a screening methodology developed by the California Office of Environmental Health Hazard Assessment that is used to help identify California communities disproportionately burdened by multiple sources of pollution.¹³ The proposed railroad crossing is within Census Tract 6037980001, which primarily contains Hollywood Burbank Airport. The tract has no population and is above the 95th percentile for pollution. The proposed crossing is nearby Census Tract 6037122200, which has a greater than 95th percentile score in CalEnviroScreen 4.0, qualifying as an ESJ community.¹⁴ LACMTA's Project, as a whole, which the proposed crossing is a part, has the potential to improve access to high-quality transportation services as set forth in Goal 3 of the Commission's ESJ Action Plan. The crossing would be used for pedestrians and cyclists to safely access the train station from the airport and surrounding

¹³ CalEnviroScreen 4.0 at <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40>

¹⁴ As defined by the Commission's ESJ Action Plan, ESJ communities are amongst the 95-percent highest scores (99th percentile) when using Cal EPA's CalEnviroScreen tool. *See*, EPA, Cal. "Census Tract (6037122200)." Oehha.ca.gov, CalEnviroScreen Tool 4.0, May 2023, <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40>.

neighborhoods. Providing greater access to passenger train service helps improve local air quality and public health.

5.4.3. Determination

We conclude that approval of this Application will not have a negative impact on ESJ communities and does not conflict with any of the ESJ Action Plan goals.

6. Summary of Public Comments

Rule 1.18 allows any member of the public to submit written comment in any Commission proceeding using the “Public Comment” tab of the online Docket Card for that proceeding on the Commission’s website. Rule 1.18(b) requires that relevant written comment submitted in a proceeding be summarized in the final decision issued in that proceeding. No relevant written comment was submitted in this proceeding.

7. Conclusion

The Application complies with our Rules for granting authority to construct a grade separated rail crossing. We grant LACMTA the authority to construct the crossing, subject to compliance with the terms and conditions set forth in the Ordering Paragraphs. We authorize LACMTA three years from the issuance date of this decision to complete the work requested. We also find that RSD’s recommended language for the Ordering Paragraphs of this decision is reasonable.

8. Procedural Matters

This decision affirms all rulings made by the Administrative Law Judge and assigned Commissioner in this proceeding. All motions not ruled on are deemed denied.

9. Waiver of Comment Period

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Pub. Util. Code §311(g)(2) and Rule 14.6(c)(2), the otherwise applicable 30-day period for public review and comment is waived.

10. Assignment of Proceeding

Darcie L. Houck is the assigned Commissioner and Eric Fredericks is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. On October 23, 2024, LACMTA filed an application for authority to construct a new grade-separated pedestrian underpass crossing at the Metrolink Burbank Airport – North Station on the SCRRA’s Valley Subdivision at Milepost 13.60 (Proposed Commission Crossing Number 101VY-13.60-BD and Proposed United States Department of Transportation Crossing Number 977323V).
2. RSD conducted a diagnostic review of the proposed crossing location on February 27, 2024, and found no safety or other issues.
3. RSD completed its review of Application 24-10-020 and concluded that the application complies with all the requirements of the Commission’s Rules as well as all applicable requirements of the Commission’s GOs.
4. RSD has no objections to the Application.
5. LACMTA provided all required information under Rule 3.7 of the Commission’s Rules of Practice and Procedure, including legal description, crossing maps, engineering profiles, and service on affected stakeholders.

6. LACMTA is the lead agency under CEQA for the Brighton to Roxford Double Track Project, of which the proposed pedestrian crossing is a part.

7. On May 28, 2020, LACMTA filed an NOE stating that the project is statutorily exempt from CEQA pursuant to CEQA Guidelines §15275(a).

8. The Commission reviewed and considered LACMTA's environmental documentation and determined it to be adequate for purposes of approving the pedestrian crossing.

9. The proposed crossing is located adjacent to EFCs and is designed to improve pedestrian safety and accessibility between station platforms.

10. LACMTA demonstrated compliance with the Commission's ESJ requirements.

11. Granting LACMTA a period of three years from the effective date of this decision to complete the project is consistent with Commission practice for similar grade-separated pedestrian rail crossings.

Conclusions of Law

1. The Application complies with all applicable Commission Rules and regulatory requirements and should be approved.

2. The NOE, as it relates to the proposed crossing, is adequate and should be considered for Commission decision-making purposes.

3. The project increases public safety benefits resulting from the crossing and should be approved.

4. The proposed crossing is consistent with the Commission's ESJ Action Plan and should be approved.

5. A period of three years to complete the proposed improvements is reasonable and should be approved.

6. The proceeding should be closed.

O R D E R

IT IS ORDERED that:

1. The Los Angeles County Metropolitan Transportation Authority is authorized to construct one new grade-separated pedestrian-rail underpass crossing at the Metrolink Burbank Airport – North Station in the City of Burbank, Southern California Regional Rail Authority Valley Subdivision track at Milepost 13.60 in the County of Los Angeles.

2. The grade-separated pedestrian-rail underpass crossing of the Southern California Regional Rail Authority Valley Subdivision track at Milepost 13.60 shall have the configuration specified in Application 24-10-020 and its attachments.

3. The grade-separated pedestrian-rail underpass crossing of the Southern California Regional Rail Authority Valley Subdivision track at Milepost 13.60 shall be identified as California Public Utilities Commission Crossing Number 101VY-13.60-BD and United States Department of Transportation Number 977323V.

4. The Los Angeles County Metropolitan Transportation Authority shall comply with all applicable rules, including California Public Utilities Commission General Orders, the California Manual on Uniform Traffic Control Devices, and the Americans with Disabilities Act.

5. The Los Angeles County Metropolitan Transportation Authority shall notify the California Public Utilities Commission's Rail Crossings and Engineering Branch of the Rail Safety Division at least five business days prior to the opening of the crossing. Notification should be made by e-mail to rceb@cpuc.ca.gov.

6. Within 30 days after completion of the work authorized by this decision, the Los Angeles County Metropolitan Transportation Authority shall notify the California Public Utilities Commission's (Commission) Rail Crossings and Engineering Branch of the Rail Safety Division by submitting a completed Commission Form G (Report of Completed Changes at Rail Crossings), for the completion of the authorized work. Form G requirements and forms can be obtained at the Commission website at: <https://www.cpuc.ca.gov/crossings>. The completed report may be submitted via e-mail to rceb@cpuc.ca.gov.

7. The Los Angeles County Metropolitan Transportation Authority shall coordinate with the Southern California Regional Rail Authority to notify the Federal Railroad Administration by submitting a Crossing Inventory Form (FRA F6180.71) acknowledging the establishment of the new crossing. A copy shall be provided concurrently to the California Public Utilities Commission's Rail Safety Division, Rail Crossings and Engineering Branch. This copy of the form may be submitted electronically to rceb@cpuc.ca.gov.

8. The Los Angeles County Metropolitan Transportation Authority shall complete construction of the project within three years of the issuance date 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. Any extension requests must be submitted to California Public Utilities Commission's Rail Crossings and Engineering Branch of the Rail Safety Division at least 30 days before the three-year expiration date.

9. Application 24-10-020 is closed.

This order is effective today.

Dated June 26, 2025, at Sacramento, California.

ALICE REYNOLDS

President

DARCIE L. HOUCK

JOHN REYNOLDS

KAREN DOUGLAS

MATTHEW BAKER

Commissioners