Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the City of Oceanside to construct one (1) pedestrian trail underpass at Loma Alta Creek within the City of Oceanside, San Diego County, (CPUC #106-227-56-BD) and DOT (#973289C).	Application 25-08-010

DECISION AUTHORIZING THE CITY OF OCEANSIDE TO CONSTRUCT ONE GRADE-SEPARATED PEDESTRIAN TRAIL-RAIL UNDERPASS IN THE CITY OF OCEANSIDE, CALIFORNIA

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DECISION AUTHORIZING THE CITY OF OCEANSIDE TO CONSTRUCT ONE GRADE SEPARATED PEDESTRIAN TRAIL-RAIL UNDERPASS IN THE CITY OF OCEANSIDE, CALIFORNIA

Summary

This decision grants the City of Oceanside, California authority to construct one (1) grade separated pedestrian trail-rail crossing under the North County Transit District's San Diego subdivision tracks between South Coast Highway and Pacific Street in the City of Oceanside, California.

The proceeding is closed.

1. Background

1.1. Procedural Background

On August 18, 2025, the City of Oceanside, California (Oceanside) filed Application (A.) 25-08-010 with its incorporated Exhibits A through G,[1] seeking authority from this California Public Utilities Commission (Commission or CPUC) to construct one grade-separated pedestrian trail-rail underpass crossing, more fully described as:

a. Loma Alta Creek Pedestrian Underpass: a 6-foot-wide pedestrian trail under the North County Transit District's San Diego subdivision tracks between South Coast Highway and Pacific Street in the City of Oceanside, California (Proposed Crossing).[2]

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[1] See August 15, 2026 A.25-08-010 at Exhibits A1-A2 (*Crossing Legal Description*(s)), Exhibits B1-B4 (*Project Drawings*), Exhibits C1-C5 (*Local Project Support*), Exhibit D1 (*Final Initial Study / Mitigated Negative Declaration for the Loma Alta Wetlands Enhanced Project*), Exhibit D2 (*Technical Memorandum Demonstrating Conformity with CPUC's Environmental and Social Justice Action Plan*), Exhibit E (*Scoping Memo*), Exhibit F (*Certificate of Service*), and Exhibit G (*Verification*).

[2] A.25-08-010 at 2, Exhibit A1 (*Crossing Legal Description*) and Exhibit A2 (*Legal Description Closures*).

The Proposed Crossing is part of Applicant Oceanside's larger *Loma Alta Slough Wetlands Enhancement Project* which is intended to restore and improve wetland habitat, improve water quality, and enhance recreational enjoyment in and around existing marsh in the Loma Alta Slough at the mouth of the Loma Alta Creek in the City of Oceanside, California (Loma Alta Slough Project).[3] The Proposed Crossing underpass will consist of grading, landscaping, and a boardwalk.

Oceanside amended A.25-08-010 on September 11, 2025 with updates to Exhibit B1 (*Crossing Detail*) and Exhibit B3 (*Trail Profile*). On September 15, 2025, Oceanside further amended the Application to address changes to Applicant's Exhibits A through G.[4]

Commissioner Darcie L. Houck and Administrative Law Judge Andrea D. McGary (ALJ) were assigned to this A.25-08-010 proceeding on September 19, 2025. The Commission's Rail Safety Division (RSD) filed a Response to the Application on September 26, 2025.[5] No other response or protest to A.25-08-010 was filed.

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[3] See Application at 1.

[4] See September 16, 2026 *Amended Application* at Exhibits A1-A2 (*Crossing Legal Description*(s)), Exhibits B1-B4 (*Project Drawings*), Exhibits C1-C5 (*Local Project Support*), Exhibit D1 (*Final Initial Study / Mitigated Negative Declaration for the Loma Alta Wetlands Enhanced Project*), Exhibit D2 (*Technical Memorandum Demonstrating Conformity with CPUC's Environmental and Social Justice Action Plan*), Exhibit E (*Scoping Memo*), Exhibit F (*Certificate of Service*), and Exhibit G (*Verification*).

[5] See *Response of The Rail Safety Division To The Application Of City of Oceanside To Construct Three Grade-Separated Bikeway-Rail Crossing* (September 26, 2025) (RSD Response).

On October 1, 2025, *Administrative Law Judge's Ruling Setting Remote Prehearing Conference & Prehearing Conference Statement Deadline* was issued, setting a prehearing conference (PHC) for November 10, 2025 and a joint PHC Statement deadline of October 31, 2025. A PHC was held on November 10, 2025 to discuss the issues of law and fact, the need for hearing, and schedule for resolving this proceeding. During the PHC, the assigned ALJ ordered Applicant Oceanside to supplement the proceeding record regarding:

1. The period of time needed to complete the construction of the Proposed Crossing.[6]

Applicant Oceanside provided the requested supplemental information on November 19, 2025.[7] *Assigned Commissioner's Scoping Memo and Ruling* was issued on March 17, 2026 (Scoping Memo) by Commissioner Houck.

On March 27, 2026, the assigned ALJ issued a ruling requiring Oceanside to supplement the evidentiary record regarding Applicant's Exhibit D1 environmental review proffer on or before April 15, 2026.[8] Oceanside supplemented the record with the required environmental review information on April 11, 2026 and June 9, 2026, respectively.[9]

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[6] See *Reporter's Transcript of November 10, 2025 Prehearing Conference Virtual Proceeding* (file endorsed January 12, 2026) (RT-PHC) at 6:21 to 9:17.

[7] See *Response ALJ Inquiry* (November 2025 Supplement).

[8] See *Administrative Law Judge's Ruling Ordering Applicant City of Oceanside To Supplement The Record Regarding California Environmental Quality Act Information* (March 27, 2026)

[9] See Amended Exhibit D1 (April 11, 2026). See also A.25-08-010 Support Document To Exhibit D1 (*Final Initial Study /Mitigated Negative Declaration For The Loma Alta Wetlands Enhancement Project*) (June 9, 2026 Exhibit D1 Support Documents): (https://docs.cpuc.ca.gov/PublishedDocs/SupDoc/A2508010/9380/608275795.pdf). .

1.2. Submission Date

This matter was submitted on June 9, 2026, following Applicant Oceanside's final record supplements regarding environmental review evidence and support documents.[10]

2. Jurisdiction

The Commission has jurisdiction over railroad crossings per Public Utilities (Pub. Util.) Code Sections 1201 and 1202. The applicable safety and regulatory requirements are found in Pub. Util. Code Sections 1201-1205 and Section 99152. Rules 3.7 to 3.11 of the Commission Rules of Practice and Procedure (Rules)[11] also govern applications to construct crossings involving railroads and public roads.

3. Issues Before the Commission

The issues to be determined or otherwise considered are:

1. Does the application meet all of the Commission's requirements, including Rule 3.7, to grant Oceanside authority to construct one grade separated pedestrian rail underpass at:
    a. Loma Alta Creek Pedestrian Underpass: a proposed 6-foot-wide pedestrian trail under the North County Transit District's San Diego subdivision tracks between South Coast Highway and Pacific Street in the City of Oceanside, California?
2. Has Oceanside complied with the California Environmental Quality Act?

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[10] Id.

[11] All references to Rule or Rules in this decision refer to the Commission's Rules of Practice and Procedure, unless otherwise stated, at California Code of Regulations (CCR), Title 20, Division 1, Chapter 1.

3. Should the Commission grant the authority requested in A.25-08-010?
4. Should the Commission grant Oceanside a period of three years from the application approval date to complete the proposed project?
5. Does the Application align with or promote the achievement of the nine goals of the Commission's Environmental and Social Justice Action Plan?

4. Discussion

4.1. Filing Safety and Engineering Requirements

In A.25-08-010, Oceanside requests authority from the Commission to construct one grade-separated pedestrian rail underpass in the City of Oceanside, San Diego County, California, as identified below:

Crossing Name	City	County	Grade	CPUC No.	U.S. Department of Transportation
Loma Alta Creek Pedestrian Underpass	Oceanside, California	San Diego, CA	Grade Separated Road Below Pedestrian Crossing (Pedestrian Underpass)	106-227.56-BD	973289C

As discussed, *supra*, the Proposed Crossing is part of Applicant's larger Loma Alta Slough Project. Commission Rule 3.7 applies to construction of a public road, highway, or street across a railroad and is applicable here.[12]

Oceanside's Application information included the following showing in support of its Rule 3.7 compliance:

[12] Rule 3.7 *Public Road Across Railroad*.

Rule	**Description**
3.7(a)	The milepost and legal description of the location for the Proposed Crossing, in compliance with Rule 3.7(a) are in the Application at pages 2 and its Exhibit A (*Crossing Legal Description(s)*): Crossing Name: Loma Alta Creek Pedestrian Underpass Proposed CPUC Crossing No.: 106-227.56-BD
3.7(b)	Crossing identification Numbers of the Nearest Existing Public Crossings in the County of San Diego and the City of Oceanside, California: Crossing Name: Loma Alta Creek Pedestrian Underpass Proposed CPUC Crossing No.: 106-227.56-BD -Nearest Crossing (North: Oceanside Boulevard/North County Transit District (NDCT)): CPUC Number 106-227.20, US DOT No. 026817P -Nearest Crossing (South: Cassidy Street/NDCT): CPUC Number 106-228.00, US DOT No. 026818W [13]
3.7(c)	Rule 3.7(c) is only applicable to at-grade crossings. The A.25-08-010 Proposed Crossing involves construction of one (1) grade separated pedestrian rail under the North County Transit District's San Diego subdivision tracks between South Coast Highway and Pacific Street in the City of Oceanside, California.[14]
3.7 (d)	Maps and Drawings in compliance with Rule 3.7 (d), are included as Exhibit B to the Application.[15]
3.7 (e)	Maps in compliance with Rule 3.7 (e) are included as Exhibit B to the Application.[16]

[13] Application at 2 and Exhibit B1 (*Crossing Details*). See also RSD Response, Attachment A at A-2,

[14] Application at 3.

[15] Application at 2 and Exhibit B1 (*Crossing Detail*), Exhibit B2 (*Vicinity Map*), and Exhibit B3 (*Trail Plan and Profile*).

[16] Id.

Rule	**Description**
3.7 (f)	Profiles showing required ground line, grade line, and rate of grade construction details for the Proposed Crossing, in compliance with Rule 3.7 (f), are included at Exhibit B to the Application.[17]

The Commission's RSD was required to evaluate the proposed construction of the rail crossing herein.[18] To this end, RSD conducted a diagnostic review and completed a site visit on February 3, 2025 with Oceanside and North County Transit District staff.[19] RSD found no safety concerns or issues with the Proposed Crossing, reviewed the Application on September 2, 2025, and filed its September 26, 2025 Response. RSD concluded that A.25-08-010 complied with the applicable safety and regulatory requirements provided in 1) Commission Rules of Practice and Procedure and 2) relevant Commission General Order (GO) 26-D.[20] RSD has no objection to the construction of the Proposed Crossing and recommends the Commission approve A.25-08-010.[21]

After reviewing the Application and its amendments and supplements as well as RSD's Response, the Commission finds that the Application does not

[17] Application at Exhibit B3.

[18] Pub. Util. Code § 99152.

[19] See RSD Response at 2 and Attachment A at A-1.

[20] Commission GO 26-D (*Regulations Governing Clearances On Railroads and Street Railroads with Reference To Side and Overhaul Structures, Parallel Tracks, Crossings of Public Roads, Highways, and Streets*).

[21] See RSD Response at 2, 5, and Attachment A at A-2.

currently pose any significant safety issues, is consistent with the Safety Policy Statement,[22] and complies with the applicable Public Utilities Code sections, the Commission's Rules, and General Orders for a pedestrian underpass rail crossing of two mainline railroad tracks.

4.2. Environmental Review

The California Environmental Quality Act (CEQA) of 1970, as amended under Public Resources Code Sections 21000, *et seq*. requires state and local government agencies to inform decisionmakers and the public about the potential environmental impacts of proposed projects, and to reduce those environmental impacts to the extent feasible. CEQA applies to discretionary projects to be carried out or approved by public agencies. Here the larger Loma Alta Slough Project, of which the Proposed Crossing is a part, is subject to CEQA review for compliance or exemption.

Pursuant to CEQA, the lead agency is the public agency that carries out the project, in this case, Oceanside. For purposes of CEQA, the Commission is a responsible agency because the broader project, the Loma Alta Slough Project, of which the Proposed Crossing is a part, is being carried out by Oceanside as the lead agency, and the Commission's scope of discretionary authority is limited to the requested authorizations to construct the Proposed Crossing. As a responsible agency, the Commission must consider the lead agency's environmental impact documents and findings before acting on or approving the

[22] The Commission adopted the Safety Policy Statement on July 10, 2014 and declared its ultimate safety goal as "zero accidents and injuries across all utilities and businesses we regulate, and within our own workplace."

instant application.[23] If the Commission chooses to approve the Proposed Crossing, it will be responsible for overseeing mitigation and/or avoidance of environmental effects associated with the construction of the approved crossing.

As referenced, the Proposed Crossing is part of Applicant's Loma Alta Slough Project, which is intended to restore and improve wetland habitat, restore and improve flood plains, improve water quality, increase pedestrian and bike access to coastal wetlands and the Pacific Ocean, and enhance aesthetic, education, and recreation values to communities in and around an area of approximately 5.8 acres of existing marsh in the Loma Alta Slough at the mouth of the Loma Alta Creek in the City of Oceanside.[24]

Applicant submitted a Final Initial Study/Mitigated Negative Declaration for the Loma Alta Slough Project in support of this A.25-08-010 proceeding (June 2021 ISMND). Oceanside, in collaboration with its environmental consulting service Environmental Science Associates, prepared the June 2021 ISMND in its capacity as the lead CEQA agency and as the public agency approving, and carrying out the larger Loma Alta Slough Project.[25]

Applicant put forth the June 2021 ISMND in support of its lead agency review of the CEQA elements and potential environmental impacts of the Proposed Crossing.[26] In its review, the Commission considered Applicant's

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[23] CEQA Guidelines, 14 CCR §§ 15050(b) and 15096.

[24] Application at 2. June 9, 2026 Exhibit D1 Support Documents at electronic 887.

[25] Id. See also Exhibit D2 at 28.

[26] See Application at 2. See also Amended Exhibit D1. See also June 2021 ISMND, Section 13 (*Summary of Environmental Factors Potentially Affected*) and Section 14 (*Environmental Checklist*) at 20-74. See also CEQA Guidelines, 14 CCR § 15063 (*Initial Study*).

proffered June 2021 ISMND for CEQA compliance or exemption as to 1) significant environmental impacts;[27] 2) mitigation measures and/or project alternatives that may eliminate or lessen any identified significant environmental impacts;[28] 3) existence of environmentally superior alternatives to the proposed project;[29] 4) review and exercise of independent judgment by the lead agency in preparing and completing a CEQA compliant environmental review document for the project;[30] 5) infeasibility of any identified mitigation measures or environmentally superior alternative;[31]and 6) overriding considerations for identified significant unavoidable impacts.[32]

In compliance with CEQA Guidelines, the June 2021 ISMND identified and evaluated human health and environmental resource impacts of the Proposed Crossing, including aesthetics; agriculture and forestry resources; air quality; biological resources; cultural resources; energy; geology and soils; greenhouse gas emissions; hazards and hazardous materials; hydrology and water quality; land use and planning; mineral resources; noise; population and housing; public services; recreation; transportation; tribal cultural resources;

[27] CEQA Guidelines, 14 CCR § 15126.2.

[28] CEQA Guidelines, 14 CCR §§ 15126.4 and 15126.6.

[29] CEQA Guidelines, 14 CCR § 15126.6(e)(2).

[30] CEQA Guidelines, 14 CCR § 15090.

[31] CEQA Guidelines, 14 CCR § 15091(a)(3).

[32] CEQA Guidelines, 14 CCR § 15093.

utilities and service systems and wildfire.[33] The June 2021 ISMND also includes mitigation measures for each identified adverse impact.

The June 2021 ISMND found no impacts to aesthetics (light /glare); agriculture and forestry resources; biological resources (protection policies and ordinances habitat conservation plan); geology and soils (earthquake/septic tanks/waste water disposal systems); hazards and hazardous materials (school/airport land use plan); hydrology and water quality (quality/ groundwater plan); land use and planning (community divides); mineral resources; noise (excessive: airstrip/airport); population and housing; public services (schools/parks/other public facilities); recreation (increased use/physical deterioration); transportation (geometric design/incompatible use/emergency access); utilities and service systems (wastewater treatment demand) and wildfire (pollutants/uncontrollable spread/runoff/postfire slope instability/drainage changes/infrastructure risks).[34]

The June 2021 ISMND also reviewed aesthetics (scenic vista/scenic resource damage / public views); biological resources (native/migratory fish and wildlife); energy (consumption – operation/construction); energy (renewable energy/energy efficiency; geology and soils (seismic shaking/landslides/soil

[33] See June 2021 ISMND at Section 13 at 21.

[34] See June 2021 ISMND Section 14.1 (*Aesthetics*) at 21; Section 14.2 (*Agriculture and Forestry Resources*) at 23; Section 14.4 (*Biological Resources*) at 28; Section 14.7 (*Geology and Soils*) at 39; Section 14.9 (*Hazards and Hazardous Materials*) at 46; Section 14.10 (*Hydrology and Water Quality*) at 50; Section 14.11 (*Land Use and Planning*) at 55; Section 14.12 (*Mineral Resources*) at 56; Section 14.13 (*Noise*) at 56; Section 14.14 (*Population and Housing*) at 61; Section 14.15 (Public Services) at 62; Section 14.17 (*Transportation*) at 64; Section 14.19 (*Utilities and Service Systems*) at 68; and Section 14.20 (*Wildfire*) at 71.

erosion/unstable soil/expansive soil); greenhouse gas emissions; hazards and hazardous materials (emergency response/evacuation plan); hydrology and water quality (surface/ground water quality/sustainable ground water management/existing drainage patterns); land use and planning (environmental effect plan conflict); noise (ambient/groundbourne and vibration); public services (fire protection/police); transportation (circulation system plan/ordinance/policy conflict); transportation (CEQA Guidelines Section 15064.3(b) Vehicle Miles Traveled (VMT)); tribal cultural resources; utilities and service systems (facility relocation/construction); utilities and service systems (water supply/solid waste reduction and management); and wildfire (emergency response/evacuation) factors, but their impacts were deemed less than significant.[35]

Potential impacts to biological resources (candidate/sensitive/special status species); biological resources (riparian habitat/sensitive natural community/protected wetlands);[36] cultural resources;[37] geology and soils

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[35] See June 2021 ISMND at Section 14.1 (*Aesthetics*) at 21; Section 14.3 (*Air Quality*) at 24-28; Section 14.4 (*Biological Resources*) at 28; Section 14.6 (*Energy*) at 38; Section 14.7 (*Geology and Soils*) at 39; Section 14.8 (*Greenhouse Gas Emissions*) at 44; Section 14.9 (*Hazards and Hazardous Materials*) at 46; Section 14.10 (*Hydrology and Water Quality*) at 50; Section 14.11 (*Land Use and Planning*) at 55; Section 14.13 (*Noise*) at 56; Section 14.15 (*Public Services*) at 62; Section 14.17 (*Transportation*) at 64; Section 14.18 (*Tribal Cultural Resources*); Section 14.19 (*Utilities and Service Systems*); and Section 14.20 (*Wildfire*) at 71.

[36] See June 2021 ISMND at Section 14.4 (*Biological Resources*) Mitigation Measure (MM)-BIO-1 (*Special-Status and Nesting Birds*), MM-BIO-2 (*Light-Footed Ridgway's Rail*), MM-BIO-3 (*Southern Tidewater Goby*), MM-BIO-4 (*Fencing*), MM-BIO-5 (*Restoration of Temporary Impacts*), MM-BIO-6 (*Aquatic Resource Permits*), and MM-BIO-7 (*Signage and Fencing or Barrier*: *Sensitive Vegetation & Human Trespass*) at 29-34. See also June 9, 2026 Exhibit D1 Support Documents, *Mitigation Monitoring Program for the Loma Alta Slough Wetland Enhancement Projection* at electronic 873-878

[37] Id. at Section 14.5 (*Cultural Resources*) MM-CUL-1, MM-CUL-2, MM-CUL-3, MM-CUL-4, and MM-CUL-5 at 36-37. See also June 9, 2026 Exhibit D1 Support Documents at electronic 878-881.

(unique paleontological resource/geological feature);[38] hazards and hazardous materials (sites/transport/use/disposal/environment release);[39] and recreation (expansion/construction)[40] were presented as less than significant with implementation of proposed mitigation measures, in specific instances.

The June 2021 ISMND concluded that the Loma Alta Slough Project, of which the Proposed Crossing is a part, would not result in significant and unavoidable impacts or cumulatively considerable and unavoidable adverse impacts if the required mitigation steps were incorporated.[41]

Based on the June 2021 ISMND provided by Oceanside as well as the full record of this proceeding, the Commission finds that Applicant has made a sufficient showing that the Proposed Crossing will not have a significant environmental impact. Accordingly, the Commission finds that A.25-08-010 complies with CEQA.

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[38] Id. at Section 14.7 (*Geology and Soils*) MM-PAL-1 (*Retain Qualified Paleontologist*), MM-PAL-2 (*Paleontological Resources Sensitivity Training*), MM-PAL-3 (*Paleontological Monitoring Training*), and MM-PAL-4 (*Inadvertent Discoveries*) at 43. See also June 9, 2026 Exhibit D1 Support Documents at electronic 881-883.

[39] Id. at Section 14.9 (*Hazards and Hazardous Material*) MM-HAZ-1, MM-HAZ-2, and MM HAZ-3 at 47-40. See also June 9, 2026 Exhibit D1 Support Documents at electronic 883-885.

[40] Id. at Section 14.16 (*Recreation*) at MM-BIO-1 to MM-BIO-5, MM-CUL-1 to MM-CUL-5, MM-PAL-1 to MM-PAL-4, and MM-HAZ-1 to MM-HAZ-2 at 63.

[41] See June 2021 ISMND, Section 14.21 (*Mandatory Findings of Significance*) and Section 16 (*Determination*) at 72-73. See also June 9, 2026 Exhibit D1 Support Documents, *Notice of Intent To Adopt Negative Declaration*, *City of Oceanside* at electronic 887.

4.3. Impact on Environmental and Social Justice Communities

On April 7, 2022, the Commission adopted Version 2.0 of the Environmental and Social Justice (ESJ) Action Plan.[42] The ESJ Action Plan serves as a roadmap for implementing the Commission's vision to advance equity in its programs and policies for ESJ Communities and includes goals related to health and safety, consumer protection, access and participation, program benefits, climate resiliency, and enforcement in sectors regulated by the Commission.

As discussed, the Proposed Crossing is part of Applicant's Loma Alta Slough Project. Oceanside's purpose for the Loma Alta Slough Project is to restore and improve wetland habitat, improve water quality, and enhance aesthetic, education, and recreation values of the area over 7 lots and approximately 5.8 acres of existing marsh in the Loma Alta Slough at the mouth of the Loma Alta Creek in the City of Oceanside, California.

Applicant identifies 7 lots, approximately 5.8 acres, as part of its Loma Alta Slough Project.[43] Applicant also identifies four disadvantaged community census tracts in Oceanside, California[44] adjacent to the Proposed Crossing areas.

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[42] California Public Utilities Commission ESJ Action Plan: https://www.cpuc.ca.gov/news-and-updates/newsroom/environmental-and-social-justice-action-plan

[43] Assessor Parcel Numbers (APNs) 153030290, 1530304800, 1530304900, 1530304100, 1530304200, 1530110600, and 1530304300. See June 2021 ISMND at 1. See also June 9, 2026 Exhibit D1 Support Documents at electronic 887

[44] Applicant lists census tracts 018302, 018201, 018100, and 018102 as being disadvantaged communities "based on median household income per the California Department of Water Resources" designation. This designation is largely similar to the ESJ Action Plan definition of disadvantaged community, which is part of the ESJ Action Plan's definition of an ESJ Community. See also Application Exhibit D2 at 27-30.

Oceanside asserts the residents within the identified communities will benefit from restoration and conservation of flood plains, access to pedestrian trails for increased walking or biking physical activity, and increased access and easier commute to the wetlands and the Pacific Ocean through the Proposed Crossing. Oceanside also describes engagement with ESJ Communities that occurred during planning of the Proposed Crossing. Applicant asserts that the Proposed Crossing aligns with Goals 1 through 6 of the ESJ Action Plan.[45] Based on our review, the Loma Alta Slough Project and the Proposed Crossing align with Goals 1 through 6 of the Commission's ESJ Action Plan.[46]

Accordingly, we conclude that the Proposed Crossing does not have adverse social and environmental impacts and aligns with Goals 1 through 6 of the nine goals of the Commission's ESJ Action Plan.

4.4. Three Years to Complete the Proposed Crossing

Oceanside estimates that its proposed construction activities can be completed in three years. RSD does not object to the three-year period. The three-year period to construct the Proposed Crossing, one grade-separated

[45] Application at Exhibit D.

[46] See ESJ Action Plan 2.0, Goal 1 (*Consistently Integrate Equity and access Considerations Throughout CPUC Regulatory Activities*); Goal 2 (*Increase Investment In Cleaner Energy Resources To Benefit ESJ Communities, Especially To Improve, Local Air Quality and Public Health*); Goal 3 (*Strive To Improve Access To High-Quality Water, Communications, and Transportation for ESJ Communities*); Goal 4 (*Increase Climate Resiliency In ESJ Communities); Goal 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*); Goal 6 (*Enhance Enforcement To Ensure Safety and Consumer Protection For All, Especially for ESJ Communities)*; and Goal 7 (*Promote High Road Career Paths and Economic Opportunity For Residents Of ESJ Communities*).

pedestrian rail underpass in the City of Oceanside, County of San Diego, California, is reasonable and therefore granted.[47]

5. Conclusion

As discussed in the preceding sections, the Proposed Crossing in the Application complies with the requirements set forth in Rule 3.7 as well as the relevant sections of GO 26-D. The Application also complies with CEQA review and exemption requirements and aligns with several of the goals of the Commission's ESJ Action Plan.

We therefore conclude that construction of the Proposed Crossing should be authorized, and the Application should be granted. Oceanside should be granted a period of three years from the date of this decision within which to complete construction of the Proposed Crossing.

Finally, we also find it reasonable to adopt and do hereby adopt RSD's recommended language, in part, for the Commissioner's Ordering Paragraphs in this decision.

6. Summary of Public Comment

The Commission encourages and welcomes comments from the public on issues and proceedings to help us reach informed decisions. Commission 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 for that proceeding on the Commission's website. Rule 1.18(b) requires that relevant written comments submitted in a proceeding must be summarized in the final decision issued in that proceeding.

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[47] See October 2025 Supplement at 1. See also RSD Response at 2.

In this A.25-08-010 proceeding, written comments were not received or posted to the Docket card.

7. Waiver of Comment Period

This is an uncontested matter in which the decision grants the relief requested. Accordingly, as provided in Rule 14.6(c)(2), the otherwise applicable 30-day public review and comment period for this decision is waived.

8. Assignment of Proceeding

Commissioner Darcie L. Houck is the assigned Commissioner and Andrea D. McGary is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. The grade-separated pedestrian rail underpass in the City of Oceanside, County of San Diego, California requested in this Application must comply with the requirements set forth in Rule 3.7 of the Rules of Practice and Procedure.
2. Oceanside provided information showing compliance with the requirements set forth in Rule 3.7.
3. RSD conducted a diagnostic review of and site visit to the Proposed Crossing on February 3, 2025.
4. RSD found no safety issues and concluded that the request complies with the applicable regulatory and safety requirements.
5. The Application was filed prior to commencing construction of the Proposed Crossing.
6. The Proposed Crossing is part of the Loma Alta Slough Project, which is intended to restore and improve wetland habitat, improve water quality, and enhance aesthetic, education, and recreation values of the area over 7 lots and

approximately 5.8 acres of existing marsh in the Loma Alta Slough at the mouth of the Loma Alta Creek in the City of Oceanside, California.

7. The Proposed Crossing is part of the larger Loma Alta Slough Project which is intended to restore and improve wetland habitat, improve water quality, increase open space and trail access to coastal wetlands and the Pacific Ocean by foot, bike or alternate modes of transportation, and enhance recreational enjoyment in and around existing marsh in the Loma Alta Slough at the mouth of the Loma Alta Creek in the City of Oceanside, County of San Diego, California and as such may benefit residents and visitors to the area.

8. The construction of the Proposed Crossing and the Loma Alta Slough Project meets the goals of the Commission's ESJ Action Plan 2.0 toward improvement of access to transportation and safety along rail lines in ESJ communities.

9. The Proposed Crossing aligns with the Commission's ESJ Action Plan 2.0.

Conclusions of Law

1. The Application complies with the applicable provisions of Rules of Practice and Procedure, including Rule 3.7 and GO 26-D.

2. The June 2021 ISMND prepared for the Loma Alta Slough Project, including the Proposed Crossing, is adequate for our decision-making purposes.

3. The Application and the June 2021 ISMND comply with CEQA review and exemption requirements.

4. The construction of the Proposed Crossing aligns with and promotes Goals 1 through 6 of the Commission's ESJ Action Plan 2.0.

5. The Proposed Crossing, in this Application, should be approved and the requested authorization to construct should be granted.

6. Oceanside should be granted a period of three years to complete construction of the Proposed Crossing.

7. This proceeding should be closed.

O R D E R

IT IS ORDERED that:

1. Application 25-08-010 filed by the City of Oceanside on August 18, 2025, as amended on September 11, 2026 and September 16, 2026 respectively, is granted.

2. The City of Oceanside, California is authorized to construct one (1) grade separated pedestrian rail under the North County Transit District's San Diego subdivision tracks between South Coast Highway and Pacific Street in the City of Oceanside, County of San Diego, California.

3. The authorized Crossing shall have the configurations described and specified in the application and its exhibits, attachments, and appendices. The Crossing shall be identified by the following California Public Utilities Commission Crossing Number (CPUC No.) and United States Department of Transportation Number (DOT No.):

Crossing Name	City	County	Grade	CPUC No.	U.S. Department of Transportation
Loma Alta Creek Pedestrian Underpass	**Oceanside, California**	San Diego, CA	Grade Separated Road Below Pedestrian Crossing (Pedestrian Underpass)	106-227.56-BD	973289C

4. The City of Oceanside shall coordinate with The North County Transit District to notify the Federal Railroad Administration by submitting United States Department of Transportation Crossing Inventory Forms (FRA F 6180.71) acknowledging the establishment of the authorized crossing. The City of Oceanside shall provide copies of the completed FRA F 6180.71 forms to the California Public Utilities Commission's Rail Safety Division, Rail Crossings and Engineering Branch via email to rceb@cpuc.ca.gov.

5. The City of Oceanside shall comply with all applicable rules, including the California Public Utilities Commission's General Orders, California Manual on Uniform Traffic Control Devices, and the Americans with Disabilities Act.

6. The City of Oceanside shall notify the California Public Utilities Commission's Rail Safety Division, Rail Crossings and Engineering Branch at least 30 days prior to the opening of the crossings. Notification should be made by email to rceb@cpuc.ca.gov.

7. Within 30 days after completion of the work authorized by this decision, the City of Oceanside shall notify the California Public Utilities Commission's Rail Safety Division, Rail Crossings and Engineering Branch by submitting a completed California Public Utilities Commission Standard Form G (*Report of Changes at Highway Grade Crossing and Separations*), for the completion of the authorized work. Form G requirements and forms can be obtained at the California Public Utilities Commission web site at www.cpuc.ca.gov/crossings. The completed report must be submitted via email to rceb@cpuc.ca.gov.

8. This authorization shall expire if not exercised within three years of the issuance 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.

9. The City of Oceanside shall submit any request for extension of the three-year authorization needed to the California Public Utilities Commission's Rail Safety Division, Rail Crossings and Engineering Branch at least 30 days before the expiration of that period. The City of Oceanside shall send a copy of the extension request to all interested parties.

10. Application 25-08-010 is closed.

This order is effective today.

Dated _____, at Sacramento, California.