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Southern California Rail Revitalization Act Group
Attention: Anthony Serna, Senior Advisor, California State Transportation Agency
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**Re: Southern California Rail Revitalization Act Working Group
Draft Recommendations as published on May 11th, 2026**

Dear Mr. Serna and all members of the Southern California Rail Revitalization Act Working Group,

Thank you for allowing the public the opportunity to attend (including attending remotely) and provide initial reactions to the draft recommendations presented for the first time to the public at your May 11th, 2026 Working Group meeting. At the meeting, members of the Working Group (“WG”) reviewed draft recommendations that we were informed were formulated and discussed by the WG at prior meetings. The final version of the draft recommendation is to be

submitted to the Legislature on the specific topics outlined in the Southern California Rail Revitalization Act introduced by Senator Catherine Blakespear and enacted on September 27, 2024 (the "Legislation").

As recognized by the Legislation, the recommendations of the WG are expected to affect the coastal environment and local communities. They may in fact profoundly and permanently affect the coastal environment and local communities.

The following are our initial comments and questions on the timing of the Working Group's report to the Legislature, the WG process thus far as it appears to us, and the draft recommendations presented at the May 11, 2026 meeting.

A. The Process Employed to date by the WG for gathering information and formulating recommendations required by the Legislation

The Legislation mandated that the Secretary of Transportation create a Working Group, whose member entities are generally described in Government Code section 14072.6 (b). The Legislation requires "**consensus recommendations**" of representatives of those entities on four important wide-ranging topics affecting the LOSSAN corridor, the coastal environment and the communities through which the rail travels. The WG entities are to include governmental agencies as well as "**business, community, transportation, environmental, labor, and civic organizations.**" The consensus recommendations required of the WG are to be developed with "**meaningful public engagement,**" and the WG Group is required to consider both the "**known and expected impacts of the recommendations on the coastal environment and local communities, and consider opportunities to support the coastal zone and local communities when making recommendations.**"

The report was due on February 1, 2026. Instead, as noted by Senator Blakespear at the February 18, 2026 hearing of the Senate Transportation

Subcommittee on LOSSAN Rail Corridor Resiliency, the WG did not have its initial meeting until the end of February 2026. The members of the WG from “business, community, ..., environmental, labor, and civic organizations” have not been identified to the public and rail interests are disproportionately represented on the WG which is addressing an area that profoundly affects the environment and local communities. Non-government stakeholders apparently have not yet been included in the WG and they, and the public at large, were effectively barred from attending the meetings prior to May 11, 2026 (even as spectators). In preparing the draft recommendations, the WG has consulted with SANDAG, NCTD, Metrolink, OCTA, the FRA and BNSF Railroad but not non-rail stakeholder groups or the affected cities. For the meetings that we understand were held in February, March and April 2026, the agenda and location were not published or publicized. The meetings were not recorded, the minutes are terse and give no feel for the dialogue that occurred, and so there has been no real access by the public to the deliberative process.

We understand that the WG intends to render their final recommendations to the Legislature by May 31, 2026, (despite Senator Blakespear’s call for a year-long extension given delays in WG formation), which is less than three weeks from the WG meeting where the public was first allowed to participate in the process, and less than 2 weeks from CalSTA’s scheduled meeting with our group, which we solicited.

Questions Regarding the Process thus Far.

1. Please identify all members of the Working Group and their representatives.
2. Which members attended each of the meetings of the WG?
3. At the May 11, 2026 meeting, the public was informed by a member of the WG that there is a policy against recording the meetings. Please identify the basis for the policy and the authors of the policy and forward a copy of the policy to us at the above Coalition email address.

4. Other than whatever appears in the minutes, have the comments of the participants at WG meetings been stated by them or summarized by anyone in writing? Please send us a copy of all minutes of the meetings and any written statements or comments of members of the WG regarding its work.
5. Is there a website where we can obtain a copy of all PPT presentations to the WG made prior to the May 11, 2026 meeting?
6. Will comment letters received by the WG be published and if so, when and where?
7. Who is responsible for gathering and publishing the public's comments and questions made at the May 11, 2026 WG meeting?

Coalition Comments Regarding the Process thus Far.

1. The process followed by the WG to date has not been sufficiently transparent to the public and does not comport with the Legislative mandate. As a result, May 31, 2026 is too early to render a final report to the Legislature and any report rendered will not meet the Legislative requirements. The WG membership itself may need to be augmented to comply with the Legislation and it should seek an extension of at least 6 months in order to comply with the mandates of the Legislation. There is no emergency that requires the rendering of a report without adequate notice to, and participation from, the public, environmental and civic groups, and the cities affected by the report. The year-long late start to formation and deliberation of the WG should be acknowledged and an extension implemented. Because the WG has not allowed meaningful access to the deliberative process of the WG to non-agency stakeholders, including the public, environmental and civic groups or the affected cities, the recommendations have not been developed with the "meaningful public engagement" required by the Legislation, and due consideration of public comments cannot be achieved in the brief time remaining until May 31, 2026.

2. It does not appear that the WG was formed according to the Legislative mandate because it does not appear to have members from most of the types of organizations described in Gov. Code section 14072(b)(5) (“business, community.....environmental, labor and civic organizations”) and therefore the draft recommendations cannot reflect the consensus views of the WG required by the Legislation to achieve consensus.
3. All meetings should be open to the public in person, by remote access, and recorded to enable the public to attend “on demand” after the meeting date. Other government agencies engaged in the deliberative process such as city councils and SANDAG record their meetings and provide remote access for the public to join/speak. They also provide the PPT presentations and comment letters online. The WG should have the same working procedures, especially as it has an express mandate to inform and meaningfully engage with the public.

B. The Draft Recommendations

Overall Coalition Comments:

While we appreciate the challenges of the WG task and laud its purpose, the recommendations of the draft are difficult to understand because they contain a lot of industry jargon and abbreviations not familiar to the public (e.g. AWW, RTPs MPOs, Vision Zero). We agree with the suggestion made by a commenter at the May 11, 2026 meeting that the WG should provide a glossary of terms. The draft should strive to be comprehensible to a layperson.

The recommendations offer no examples or hypotheticals that would lend a better understanding of how they might work in practice. Nor do they compare the recommended situation with the current situation so that one can discern the difference. Nor do they state the reason for the recommendation based on actual experiences. Adding these in a separate document or annotation would be helpful.

Working Group Recommendations and Coalition Comment

Policy Area A – Strategies to increase rail service coordination and reduce disruptions or delays

Working Group Recommendations Nos. 3-5, Policy Area A:

“3. Allow SGR [State of Good Repair] rail projects to be eligible for state funding grant programs where feasible. Program guidelines should develop and incorporate specific scoring criteria for SGR eligibility, emphasizing safety, reliability, and maintaining existing infrastructure.

4. Program criteria should allow for the prioritization of projects that demonstrate significant non-state local/federal funding contributions, recognizing local commitment as an indicator of project readiness and shared investment.

5. Develop administrative solutions, where feasible, by incorporating timely use of funds exceptions for extraordinary and unforeseeable circumstances into state program guidelines”

Coalition Comment to Recommendations Nos. 3-5, Policy Area A

We interpret the WG’s recommendations to be to increase the level of eligibility for state funding for Southern California railway state of good repair (“SGR”) rail projects including routine maintenance projects. The Coalition opposes this recommendation in its current form.

As we understand it, SGR projects—such as the Del Mar Bluffs stabilization and bridge replacements—are currently funded through a mix of local taxes such as TransNet, federal competitive grants, and state programs such as the [Transit and Intercity Rail Capital Program \(TIRCP\)](#). Recently, large amounts of future local taxes

have been borrowed from TransNet to fund an SGR project: replacement of the San Dieguito Bridge.

While we favor use of state funds over local funds such as TransNet for large SGR projects, we think state funding requests should be reserved primarily for realignment of the tracks off of the bluffs rather than funneled into routine maintenance of the tracks.

In addition, to the extent that solicitation of state funding for rail projects is expanded to SGR “maintenance,” *mitigation of the effects of the maintenance projects* must be included in the same grant requests. For example, SANDAG committed to significant mitigation projects as a condition to achieving Coastal Act consistency for its Phase V project involving massive hardening of the Del Mar Bluffs. But while it obtained taxpayer funds to benefit freight companies and passenger travel through reengineering of the Bluffs, it did not simultaneously or otherwise seek funding for construction of its known mitigation obligations. This practice where SANDAG seeks state and local funding for rail projects to benefit freight and passenger travel but neglects to seek sufficient contemporaneous funding for its mitigation obligations which benefit the community and public at large, needs to be corrected. SANDAG appears to be in danger of missing its deadlines for delivery of mitigation projects on Phase V, despite ensuring massive spending to armor and reengineer the Del Mar Bluffs. **We propose that the WG recommend that when agencies seek state or local funding for rail infrastructure projects, they be required to include provisions for funding associated mitigation projects.**

WG should also consider and discuss a recommendation that freight companies be required to contribute to the cost of SGR projects that exceed the reasonable level of routine track maintenance. BNSF Railroad is a primary beneficiary of both routine maintenance and massive stabilization projects but enjoys a substantial “free-ride” from taxpayers. Rail shared-use agreements cannot reasonably be interpreted to require taxpayers to pay for massive re-engineering projects such as

re-engineering of the Del Mar bluffs, costing hundreds of millions of dollars, in response to landslides or earth movement as “maintenance” of the tracks.

Regarding shared use agreements in this context, the relationship between transit districts and freight companies does not appear to be as at arms-length as it should be. NCTD seeks funds from taxpayers for projects that benefit both BNSF and passengers that significantly larger than track “maintenance” to which BNSF does not appear to contribute in line with the benefits it receives.

The WG should recommend that BNSF pay its fair share of the cost of reconstructing the bluffs after a force majeure occurs such as landslides and flooding. Negotiations on behalf of taxpayers served by transit districts regarding the interpretation of shared-use agreements in cases of natural disaster emergencies that threaten or shut down freight and passenger service should not be left to the transit districts but rather assigned to an arms-length negotiator.

Finally, WG’s funding suggestions do not comport with the Legislation’s mandate requiring the WG Group to consider both the **“known and expected impacts of the recommendations on the coastal environment and local communities and consider opportunities to support the coastal zone and local communities when making recommendations.”** State grant allocations are a zero-sum game. The WG needs to provide a discussion of how shifting more state funds to SGR projects is expected to affect local projects unrelated to rail as well as the funding for mitigation required by damage caused to the natural environment by rail projects.

Working Group Recommendation No. 7, Policy Area A:

“In coordination with the LOSSAN Working Group, the California State Transportation Agency (CalSTA) and the California Coastal Commission (CCC) should develop a cooperative agreement or Memorandum of Understanding to identify where streamlining solutions for rail projects in the coastal zone can be identified and other solutions to assist in the delivery of rail projects. Additional

clarity from the Coastal Commission on when each process applies would help project sponsors make informed decisions early and further improve permitting efficiency.”

Coalition Comment to Recommendation 7, Policy Area A:

In principle, the Coalition supports a Memorandum of Understanding between the Coastal Commission and CalSTA with the goals outlined in Recommendation No. 7. **The Coalition is strongly opposed to weakening or transferring away any authority from the Coastal Commission to CalTrans, CalSTA or any rail agency or transit district with respect to permitting of infrastructure in the Coastal Zone, on either emergency or non-emergency projects. “Streamlining solutions” sounds good but needs further explanation and it cannot be used as a vehicle for reversing or neutering California’s environmental laws or the Coastal Commission’s authority.**

Working Group Recommendation No. 8, Policy Area A:

“8. Develop a corridor-wide playbook that defines roles, decision thresholds, and timelines for agencies when bluff instability is detected. Include pre-defined triggers (e.g., erosion rates, track exposure, geotechnical warnings) to reduce ad hoc decision-making. This should include a standardized communication protocols across agencies and to the public to avoid fragmented messaging during closures.”

Coalition Comment to Recommendation No. 8, Policy Area A:

The Coalition believes that the text of the Coastal Act and CEQA regulations provide a “playbook” for emergency and non-emergency situations. It is widely recognized that bluff instability is an ongoing problem. The Coalition would like to be informed of the Coastal Commission’s view on this recommendation and would like the Working Group to give examples of how they perceive the current regulations do not adequately address the issues. Each situation is different, so any pre-set triggers would have to provide for flexibility. Over the past few years, our Coalition has noticed agencies using emergency waivers to press the Coastal

Commission to accelerate permits on large projects that gravely impact affect the coastal environment and community. Emergency situations are addressed in Coastal Act regulations. We cannot cut corners; the process must be protected.

The Coalition is strongly opposed to the weakening or transferring away any authority from the Coastal Commission to CalTrans, CalSTA or any rail agency or transit district with respect to permitting of infrastructure in the Coastal Zone, on both emergency and non-emergency projects.

Working Group Recommendation No. 9, Policy Area A:

“CalSTA, in coordination with Caltrans, may develop a state emergency response protocol that mirrors the state’s established role in freeway incidents for emergency incidents that exceeds a defined threshold. This may include but is not limited to, Caltrans activating a standardized incident command structure for rail-related emergencies, including rapid deployment of field crews, engineers, and operations coordination. Utilize pre-positioned emergency contracts and resources to immediately stabilize infrastructure and protect the rail right-of-way. Coordinate directly with regional partners with authority to elevate issues to the Caltrans Director or maintenance CalSTA Secretary of Transportation.”

Coalition Comment to Recommendation No. 9, Policy Area A:

Railways on California’s coast are not equivalent to highways and should not be treated as such. Special, focused legislation has been in place for over 50 years (the Coastal Act and CEQA) and was enacted in this state to protect California’s Coastal Zone. The voters, through initiative and then the Legislature, specifically formed the Coastal Commission to regulate development including rail maintenance that results in any structures in the Coastal Zone. We do not oppose CalTrans activating emergency measures or field crews to stabilize infrastructure in an emergency in compliance with the Coastal Commission’s regulations, but we strongly oppose allowing CalTrans or CalSTA or any transit district or rail corporation to override Coastal Act or Coastal Commission oversight or permitting procedures. Emergencies cannot be used as a workaround to impose permanent

infrastructure on the Coast without compliance with Coastal Commission regulations and without adequate mitigation. CalTrans and CalSTA have limited experience with Coastal Zone issues and are not the agencies charged by the Legislature with regulating development, including maintenance involving erection of infrastructure on the Coast.

Working Group Recommendations Nos. 10-12, Policy Area A:

“10. Establish a Vision Zero framework for rail within the LOSSAN Corridor, with the explicit goal of eliminating passenger and vehicle strike incidents through a combination of data-driven prioritization, targeted infrastructure investment, and coordinated interagency action.

11. Compile and maintain a unified safety dataset to identify and map high-risk locations with the greatest frequency and severity of incidents. Use that analysis to prioritize a ranked pipeline of targeted improvements: grade separations, enhanced barriers and fencing, upgraded crossing controls, and visibility and warning enhancements. 12. Implement ongoing performance monitoring to ensure continuous reduction of risk and measurable progress toward eliminating strikes corridor-wide.”

Coalition Comment to Recommendation Nos. 10-12, Policy Area A:

We are not sure what “Vision Zero” means as it is not defined, but we will assume for purposes of comment that it means zero fatal train strikes and other accidents in the LOSSAN corridor.

We respond focusing on Del Mar in particular: Fatal train strikes rarely happen on the Del Mar bluffs, although the tracks impede beach access over 1.6 miles of the coast. The eventual transferring of the tracks off the bluffs is the correct ultimate solution. In the meantime, providing public access to the beach with a grade-separated pedestrian underpass is the likely correct interim solution. SANDAG agreed to fund and construct beach access between 7th and 11th streets by February 2029 as mitigation for the deprivation of almost 50,000 square feet of sandy public beach and 17,824 cubic yards of sediment, for the seawalls, soldier piles and other armoring

of the bluffs caused by its implementation of Phase 5 of its bluff stabilization project. In addition, NCTD, the owner of the railroad right-of-way, has agreed to SANDAG's plan to build only minimal fencing on the street level Upper Bluff. None of this should be changed by any further measures that will block public access to the beach from the bluffs.

Policy Area B: – Alternative Management and Operations Models

Working Group Recommendation No. 1, Policy Area B

1. "Rather than creating a new layer of coordination by formalizing the SB 1098 Working Group, use existing avenues to formalize this coordination. Specifically, the working group recommends using the Rail Leadership Group for strategic leadership engagement and the LOSSAN Technical Advisory Committee as a staff led forum to advance priorities established by the Leadership Group."

Coalition's Comment to Recommendation No. 1, Policy Area B:

The Southern California Rail Revitalization Act (SB 1098) mandated the Secretary's formation of the Working Group as described in new Gov. Code section 14072 (b). The Working Group is not empowered to reformulate the Working Group and cannot assign its duties to the Rail Leadership Group (RLG) or the LOSSAN Technical Advisory Committee (LTAC). Neither the RLG nor the LTAC have the mandate or interests that would be represented by the Working Group as described in the Legislation. The Coalition especially objects to the assignment of any "strategic leadership" to the RLG as the Legislation specifically envisions leadership of the Working Group to be members that include environmental, community and civic interests. We have no objection to the Working Group receiving input from LTAC on matters within the Committee's area of technical expertise.

Policy Area C – Changes to state statutes, rules, or funding

Working Group Recommendations, No. 1 and 2, Policy Area C:

1. “Establish review deadlines for agency comments and approvals and create a formal conflict resolution protocol when multiple jurisdictions impose conflicting requirements.
2. Consider making permanent the CEQA streamlining judicial review for certain transportation-related projects introduced with SB 149 (statutes of 2023) once all ten authorized letters have been used and outcomes have been evaluated.”

Coalition’s Comment to Recommendation No. 1 and 2, Policy Area C:

We do not understand the Working Group’s recommendation No. 1. What agencies are being referenced? Can you give some examples? Does the WG have a particular protocol in mind for multiple jurisdiction conflicts, outside of litigation? If so, can you please describe it?

As to Recommendation No. 2, we would have to see the language of the proposed legislation, but in concept we do not oppose the application of the currently applicable expedited CEQA judicial dispute resolution procedures to disputes under certain other laws, such as the Coastal Act, with due consideration for each sides’ reasonable discovery demands. For example, motions to dismiss and preliminary injunction motions should receive judicial calendar priority so as not to delay resolution. Please explain the qualifying phrase: “once all ten authorized letters have been used and outcomes have been evaluated.”

Please note that the Coalition is strongly opposed to any statute or regulation changes that would reassign Coastal permitting or review authority from the Coastal Commission to CalSTA, CalTrans or any transit districts or any rail agency, governmental or private, whether in cases of emergency or not,

Additional Preliminary Coalition Comments: Absence of Recommendations on Specific Topics.

The recommendations and accompanying text do not show that the WG has considered the known and expected impacts of their recommendations on the coastal environment and local communities as required by the Legislation. The recommendations and accompanying text do not show that the WG has considered opportunities to support the coastal zone and local communities in making their recommendations. The WG should discuss each of these topics. For example, how would diversion of state money for SGR projects affect local projects to which the money might otherwise go?

The Coalition for Safer Trains appreciates Mr. Serna's scheduling a meeting with our group to listen to and understand our concerns on how rail-related decisions impact our communities in so many ways. Thank you for considering our comments and we look forward to working with your group to better the community outreach and communication to increase transparency so that rail stakeholders can incorporate the public's ideas and solutions.

Kind Regards,

Angelina Neglia

Angelina Neglia, Engineer, Shirli Weiss Esq., Amy Cheshire, Engineer, Dr.
Camilla Rang & Dr. Michael Deftos
On behalf of The Coalition for Safer Trains

Cc: Office of Senator Catherine Blakespear

