

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FD 36433

305037

ENTERED
Office of Proceedings
July 21, 2022
Part of
Public Record

NORTH COUNTY TRANSIT DISTRICT –

PETITION FOR DECLARATORY ORDER

**RESPONSE OF
THE CALIFORNIA COASTAL COMMISSION
TO LETTER FROM THE DEPARTMENT OF THE ARMY**

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The California Coastal Commission files this response to the letter from the Department of the Army submitted for e-filing on July 21, 2022. The Army wants the Board and all other participants in FD 36433 to be aware that the rail line between Los Angeles and San Diego, including the segment owned by the North County Transit District (NCTD), is important to National Defense. The Commission agrees. The Commission is well aware of the importance of this rail line to the military, to the Southern California region, and to the public at large.

Indeed, the critical importance of the rail line is one of the key reasons behind the Commission's approval of the bluff stabilization project described in the Commission's update to this Board filed on June 23, 2022. (Attachment 304833 to the Board's docket.) As noted in Exhibit A to that update, the Commission concurred in the federal consistency certification submitted to it by the San Diego Association of Governments (SANDAG) for the Del Mar Bluffs Stabilization Project 5. (Commission's Update, June 23, 2022.) The Commission considered and concurred in the consistency certification on June 8, 2022. (Commission's Update, June 23, 2022.) SANDAG, not NCTD, is spearheading the efforts to stabilize the bluffs and to insure rail safety. (Commission's Update, June 23, 2022.) SANDAG is a separate public agency and is not a party to these proceedings. The approved Del Mar Bluff Stabilization Project 5 will be constructed and implemented; it will insure the safety of the rail line until the tracks can be safely relocated which SANDAG plans to do by 2035. (Commission's Update, June 23, 2022, p. 5.) As the Commission has demonstrated in its prior filings to the Board, there is no conflict between the Interstate Commerce Commission Termination Act and the Commission's implementation of its authority under the federal Coastal Zone Management Act or the Coastal Act.

Dated: July 21, 2022

Respectfully submitted,

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CERTIFICATE OF SERVICE

In accordance with 49 C.F.R. § 1104.12, I hereby certify that on **July 21, 2022**, I served a copy of this **RESPONSE OF THE CALIFORNIA COASTAL COMMISSION TO LETTER FROM THE DEPARTMENT OF THE ARMY** on all parties of record by first-class mail and email as follows:

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