

Decision No. 23548

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the matter of the application of  
Siskiyou County to construct a county  
road at grade over McCloud River Rail-  
road Company's track under the provi-  
sions of Section 2694 of the Political  
Code of California.  
(Viewers' Petition)

**ORIGINAL**

Application No. 17198

Albert F. Parrott, County Engineer of  
Siskiyou County, by Arthur O'Connor,  
Deputy County Engineer, for Applicant.  
H. B. Ream, representing himself, in favor  
of the petition.  
L. A. T. Soldane, representing himself, in  
favor of the petition.

WEITSELL, Commissioner:

O P I N I O N

The Board of Supervisors of Siskiyou County on February 11, 1931, under the provisions of Section 2694 of the Political Code of California, filed a certified copy of a petition of freeholders of said County for the construction of Mt. Shasta Snow Line Road #414, together with a certified copy of the order of the Board of Supervisors appointing viewers to report on said road. This proposed road crosses the right-of-way and tracks of the McCloud River Railroad Company at a point approximately one and three-tenths miles (1.3) east of Mt. Shasta City, County of Siskiyou, State of California.

A public hearing was held in the rooms of the Board of Supervisors at Yreka on March 19, 1931.

Mt. Shasta Snow Line Road, #414, as at present planned by Siskiyou County, will have as one terminus Mt. Shasta City and the other at McBride Springs, a distance of approximately (4) miles, the latter point being the beginning of the Forest Service Road. This road in turn connects up with the County Road at the McCloud Summit. It is proposed to build this road with a maximum gradient of 6%, which is comparatively flat, considering that the road is located along the base of Mt. Shasta and it is probable that the highway if constructed as proposed will be used for trucking and logging operations as well as affording a means of ingress and egress to Mt. Shasta Alpine Lodge, which is the starting point for parties who make the climb to the summit of the mountain. The proposed crossing intersects the railroad at an angle of approximately 80°. In the vicinity of the crossing the tracks are constructed on a grade of 3.75% ascending to the east. The grades of approach on the highway will be 6% descending from the track to the south and 5% ascending from the track to the north. The view at the crossing is somewhat impaired by low brush but the county expressed a willingness to clear this vegetation so that a clear view of 400 feet in each direction may be had from a point on the highway 100 feet from the track. Present railway traffic normally consists of three round trips per week for freight trains with no passenger movements. It appears that the maximum traffic will never be greater than six freight movements daily. All passengers, mail and express between Mt. Shasta City and McCloud are transported by motor bus operated by the McCloud River Railroad Company. It is estimated that the highway traffic that would use this crossing if constructed would amount to some twenty-five vehicles per day.

No objection to the construction of a grade crossing as proposed herein was offered by the McCloud River Railroad Company or any other party.

After carefully considering the record in this proceeding it is concluded that in the interest of public convenience and necessity a public crossing over the railroad at the location proposed herein is justified and that the application should be granted.

In view of the light traffic, both railroad and highway, over the proposed crossing it would appear that a Standard No. 1 crossing sign with two advance signs would afford adequate protection for the present and that the crossing should be constructed in accordance with Standard No. 2 of General Order No. 72 of this Commission.

If and when the proposed highway is constructed it is proposed by the Supervisors of Siskiyou County to abandon the road now known as Rest Camp Trail, and in so doing the grade crossing listed in the records of the Commission as Crossing No. 26-1.9-D and located 2300 feet west of the proposed crossing will be abandoned.

The following form of order is recommended:

#### O R D E R

A public hearing having been held and the matter having been submitted,

IT IS HEREBY ORDERED that the Board of Supervisors of the County of Siskiyou, State of California, is hereby authorized to construct Mt. Shasta Snow Line Road, #414, at grade across the track of the McCloud River Railroad Company at the location more particularly described in the application and as shown by the

maps attached thereto, subject to the following conditions and not otherwise:

- (1) The above crossing shall be identified as Crossing No. 26-1.3.
- (2) The entire expense of constructing the crossing shall be borne by applicant. The cost of maintenance of that portion of said crossing outside of lines two (2) feet outside of the outside rails shall be borne by applicant. The maintenance of that portion of the crossing between lines two (2) feet outside of the outside rails shall be borne by the McCloud River Railroad Company. The McCloud River Railroad Company shall perform all actual work of constructing the crossing between lines two (2) feet outside of the outside rails.
- (3) The crossing shall be constructed of a width of not less than twenty-four (24) feet and at an angle to the railroad as shown by the map attached to the application and with grades of approach not greater than six (6) per cent; shall be constructed equal or superior to type shown as Standard No. 2 in our General Order No. 72; shall be protected by a Standard No. 1 Crossing sign as specified in our General Order No. 75, and shall in every way be made suitable for the passage thereon of vehicles and other road traffic.
- (4) Prior to the beginning of actual construction of the crossing herein authorized, the County of Siskiyou shall file with this Commission a certified copy of an appropriate ordinance or resolution, duly and regularly passed, instituting all necessary steps to legally abandon and effectively close the existing public grade crossing of Rest Camp Trail and identified as Crossing No. 26-1.9-D. Upon the completion of the crossing herein authorized and upon its being opened to public use and travel, said Crossing No. 26-1.9-D shall be legally abandoned and effectively closed to public use and travel.
- (5) Applicant shall, within thirty (30) days thereafter, notify this Commission in writing of the completion of the installation of said crossing and of its compliance with the conditions hereof.

- (6) The authorization herein granted shall lapse and become void if not exercised within one (1) year from the date hereof unless further time is granted by subsequent order.
- (7) The Commission reserves the right to make such further orders, relative to the location, construction, operation, maintenance and protection of said crossing as to it may seem right and proper, and to revoke its permission if, in its judgment, public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 31<sup>st</sup> day of March 1931.

C. J. Scavney  
Leon Whitehill  
M. A. Cus  
M. B. Harris  
James G. Stewart  
Commissioners.