

Decision No. 83805**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the Application of)
 the UNITED STATES OF AMERICA, acting)
 by and through the Forest Service,)
 Department of Agriculture, for)
 Permission to Reconstruct two exist-)
 ing private Crossings at Grade of)
 the Tracks of McCLOUD RIVER RAILROAD)
 COMPANY to Public grade crossing)
 standards located approximately)
 Eight miles and Ten miles, respect-)
 ively, east of the town of McCloud)
 in the COUNTY OF SISKIYOU, STATE)
 OF CALIFORNIA.)

Application No. 55166
 (Filed September 10, 1974)

O P I N I O N

The Forest Service, Department of Agriculture, requests authority to reconstruct two existing private roads over tracks of the McCloud River Railroad Company and establish them as public crossings, identified as Pilgrim Creek Nursery Road 40N16 and Military Pass Road 43N19, in the Shasta-Trinity National Forest near McCloud in Siskiyou County.

The applicant is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, and states in the application that this project will cause no significant impact on the quality of the environment.

Notice of the application was published in the Commission's Daily Calendar on September 13, 1974. No protests have been received. A public hearing is not necessary.

F I N D I N G S

After consideration, the Commission finds:

1. Applicant should be authorized to reconstruct the crossings at grade over the tracks of the McCloud River Railroad Company.
2. Construction and maintenance expense of the crossings should be borne in accordance with an agreement entered into between the parties involved.

3. It is reasonably certain that the project involved in this proceeding will not have a significant effect on the environment.

O R D E R

IT IS ORDERED that:

1. The Forest Service, Department of Agriculture, is authorized to reconstruct two existing Forest Service roads named Pilgrim Creek Nursery Road 40N16 and Military Pass Road 43N19 at grade over the tracks of the McCloud River Railroad Company near McCloud in Siskiyou County at the location and substantially as shown by plans attached to the application to be identified, respectively, as public Crossings Nos. 26-8.1 and 26-10.5.

2. Construction of the crossings shall be equal or superior to Standard No. 3 (General Order No. 72-B).

3. Width of crossings shall be not less than 24 feet with grades of approach as shown on the plans attached to the application.

4. Clearances shall conform to General Order No. 26-D. Walkways shall conform to General Order No. 118.

5. Protection at each crossing shall be by two Standard No. 1-R crossing signs (General Order No. 75-C).

6. Maintenance of the crossings shall be in accordance with General Order No. 72-B.

7. Construction expense of the crossings shall be borne in accordance with an agreement entered into between the parties, or if they fail to agree, by further order of the Commission.

8. Within thirty days after completion pursuant to this order applicant shall so advise the Commission in writing.

This authorization shall expire if not exercised within two years unless time be extended or if the above conditions are not complied with. This authorization may be revoked or modified if public convenience, necessity or safety so require.

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The effective date of this order shall be twenty days
after the date hereof.

Dated at San Francisco, California, this
10th day of DECEMBER, 1974.

Vernon L. Spurgeon
President

William Lyons Jr.

Thomas Moras

Robert E. Myland

Commissioners