

Decision No. 84607**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the County of Siskiyou)
 for an order authorizing the construc-)
 tion of a crossing at separation of)
 grade over a single track and future)
 track of the Southern Pacific Transpor-)
 tation Company railroad at Milepost)
 390.10 and highway Station 49+51+ in)
 connection with the replacement of)
 existing grade separation C 390.0-A)
 with a new structure on new alignment.)

Application No. 55457
 (Filed January 28, 1975)

O P I N I O N

As part of the project to widen and improve the Hornbrook-Ager Road, the County of Siskiyou requests authority to construct a new crossing at separated grades, to be known as the "Klamathon Bridge and Overhead", and to remove the existing grade separation structure across the tracks of the Southern Pacific Transportation Company near the Community of Hornbrook in Siskiyou County.

The County of Siskiyou is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended. An Environmental Impact Report and Negative Declaration for the project were reviewed and approved by the Division Engineer of the Federal Highway Administration on April 30, 1974.

Notice of the application was published in the Commission's Daily Calendar on January 29, 1975. 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 construct the "Klamathon Bridge and Overhead" at separated grades over the tracks of the Southern Pacific Transportation Company and to physically close and remove the existing structure, Crossing No. C-390.0-A, near the Community of Hornbrook, in Siskiyou County.

2. Construction and maintenance expense should be borne in accordance with an agreement to be entered into between the parties relative thereto.

3. Dimensions, configurations, clearances and walkways should be substantially in accordance with the plans set forth in the application and comply with applicable rules and general orders of the Commission.

4. The Commission has considered the applicant's Environmental Impact Report and Negative Declaration and finds with reasonable certainty that this project will not have a significant effect on the environment.

C O N C L U S I O N S

On the basis of the foregoing findings, we conclude that the application should be granted as set forth in the following order:

O R D E R

IT IS ORDERED that:

1. The County of Siskiyou is authorized to construct "Klamathon Bridge and Overhead" at separated grades over tracks of the Southern Pacific Transportation Company near the Community of Hornbrook, County of Siskiyou, at the location and substantially as shown by plans attached to the application, to be identified as Crossing No. C-390.1-A, "Klamathon Bridge and Overhead".

2. Construction and maintenance expense shall be borne in accordance with an agreement to be entered into between the parties relative thereto, and a copy of the agreement, together with plans of the crossing approved by the Southern Pacific Transportation Company, shall be filed with the Commission prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

3. Clearances shall be in accordance with General Order No. 26-D, except that during the period of construction a clearance of not less than 21 ft. 0 in. above top of rail is authorized for the grade separation structure and the Southern Pacific Transportation Company is authorized to operate with such reduced overhead clearance provided that instructions are issued by the railroad and filed with the Commission forbidding employees to ride on tops of cars beneath the structure.

4. The applicant shall notify the Commission and the Southern Pacific Transportation Company at least 15, but not more than 30 days in advance of the date when each temporary impaired clearance will be created.

5. Walkway areas adjacent to the railroad tracks shall be maintained free of obstruction and shall promptly be restored to their original condition in the event of damage during construction.


6. Upon completion of the "Klamathon Bridge and Overhead", the existing timber grade separation, Crossing No. C-390.0-A, shall be abandoned and physically removed.

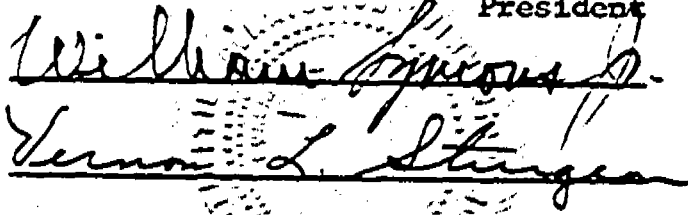
7. Within thirty days after completion pursuant to this order applicant shall so advise the Commission in writing.

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

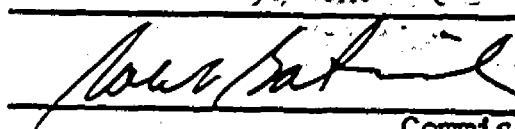
The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 15th day of JULY, 1975.



President


Vernon L. Sturgeon



Commissioners

Commissioner Leonard Ross, being necessarily absent, did not participate in the disposition of this proceeding.