

Decision No. 85753

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, ) Application No. 56292  
 Department of Agriculture, for the ) (Filed February 26, 1976)  
 reconstruction and designation of an )  
 existing private Crossing at Grade )  
 of the Tracks of McCLOUD RIVER RAIL- )  
 ROAD COMPANY to a public grade crossing )  
 located approximately one quarter )  
 mile north of the town of McCloud in )  
 the COUNTY OF SISKIYOU, STATE OF )  
 CALIFORNIA. )

O P I N I O N

The Forest Service, Department of Agriculture, requests authority to convert the existing private crossing at grade of Hooper Road 40N29Y across the tracks of the McCloud River Railroad Company and establish it as a public crossing at grade in the Shasta-Trinity National Forest near the town of McCloud in Siskiyou County.

The crossing is on a Forest Service Transportation System Road which will be used as a main haul route for a scheduled timber sale. Applicant alleges that conversion of the private crossing to a public crossing at grade "will not cause a significant impact upon the quality of the environment or controversy when the proposed action is undertaken."

Notice of the application was published in the Commission's Daily Calendar on February 27, 1976. 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 convert the existing private crossing at grade of Hooper Road 40N29Y across the tracks of the McCloud River Railroad Company in the Shasta-Trinity National Forest near the Town of McCloud in Siskiyou County to a public crossing

at grade at the location and substantially as shown by the plan attached to the application, to be identified as Crossing 26-0.30.

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

3. Width of the crossing should be not less than 24 feet with grades of approach as shown on the plan attached to the application.

4. Clearances should conform to General Order 26-D. Walkways should conform to General Order 118.

5. Protection at the crossing should be two Standard No. 1-R crossing signs (General Order 75-C).

6. Construction costs of the crossing should be borne in accordance with an agreement entered into between the parties and a copy of said agreement, together with plans of the crossing approved by the McCloud River Railroad Company, should be filed with the Commission prior to commencing construction.

7. Maintenance of the crossing should be in accordance with General Order 72-B.

8. It can be seen 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 Forest Service, Department of Agriculture, is authorized to convert the private crossing at grade of Hooper Road 40N29Y across the tracks of the McCloud River Railroad Company near the Town of McCloud in Siskiyou County to a public crossing at grade as set forth in the findings of this decision.

2. 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 one year unless time be extended or if the above 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 27th day of APRIL, 1976.

  
President  
William Aguirre  
  
  
Commissioners