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Decision No. 88010 OCT 18 1977

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 the closing of an existing )  
public grade crossing (CFA 489.3) )  
after relocating to the northwest )  
1.4 miles and constructing the )  
Crossing at Grade of the Tracks of )  
SOUTHERN PACIFIC RAILROAD COMPANY, )  
approximately twelve (12) miles )  
northwest of the town of Canby in )  
the COUNTY OF MODOC, STATE OF )  
CALIFORNIA. )

Application No. 57409  
(Filed June 29, 1977)

O P I N I O N

The Forest Service, Department of Agriculture, requests authority to relocate Boles Road at grade across the tracks of the Southern Pacific Transportation Company's Fernley-Klamath Falls Main Line in Modoc County.

Boles Road is part of the planned Forest Service Transportation System and will be used as a main haul route for a scheduled timber sale. Relocation of the crossing will provide a safer approach to the tracks with much better visibility of the crossing. Applicant alleges that the project "will not cause a significant impact on 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 July 1, 1977. 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 relocate Boles Road at grade across the tracks of the Southern Pacific Transportation Company's Fernley-Klamath Falls Main Line in Modoc County, at the location and substantially as shown by plans attached to the application, to be identified as Crossing CFA-490.4.
2. Protection at the relocated crossing should be two Standard No. 1-R crossing signs (General Order 75-C). Two standard stop signs should also be installed at the crossing.
3. Construction of the crossing should be equal or superior to Standard No. 3 of General Order 72-B.
4. Clearances should conform to General Order 26-D. Walkways should conform to General Order 118.
5. Upon completion of the new grade crossing and its opening to vehicular traffic, the existing grade crossing, Crossing CFA-489.3, should be abandoned and physically closed.
6. Construction cost of the crossing and installation cost of the crossing and stop signs should be borne by the applicant.
7. Maintenance of the crossing should be in accordance with General Order 72-B.
8. Construction plans of the crossing, approved by the Southern Pacific Transportation Company, together with a copy of the agreement entered into between the parties involved, should be filed with the Commission prior to commencing construction.
9. It can be seen with certainty that there is no possibility that the activity in question may 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 relocate Boles Road at grade across the tracks of the Southern Pacific Transportation Company's Fernley-Klamath Falls Main Line in Modoc County, 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 two years 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 18th day of OCTOBER, 1977.

Robert Belmont  
President

William J. Quinn

Vernon L. Stinson

Richard D. Howell

Clair L. D. Smith  
Commissioners