

Decision No. 89425 SEP 19 1978

**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 relocate an existing public crossing at Grade of the Tracks of McCLOUD RIVER RAILROAD COMPANY located approximately Fourteen miles east of the town of McCloud in the COUNTY OF SISKIYOU, STATE OF CALIFORNIA.

Application No. 58201  
(Filed July 6, 1978)

O P I N I O N

The United States Department of Agriculture, Forest Service, requests authority to relocate Sheep Heaven Road 4ON11 at grade across the tracks of the McCloud River Railroad Company approximately 200 feet west of the existing crossing in the Shasta-Trinity National Forest, Siskiyou County.

The relocated grade crossing will be part of a relocated Forest Service Transportation System Road which will be used as a main haul route for a scheduled timber sale. Applicant alleges that "Construction of the relocated grade crossing to public grade crossing standards 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 July 7, 1978. 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 Sheep Heaven Road 4ON11 at grade across the tracks of the McCloud River Railroad Company in Siskiyou County, at the location and substantially as shown by plans attached to the application. The relocated crossing should

continue to be identified as Crossing 26-14.1.

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

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

4. Protection at the crossing should be two Standard No. 1-R crossing signs (General Order 75-C) and two Standard No. R1-1 stop signs as described in the Manual on Uniform Traffic Devices for Streets and Highways.

5. Construction costs of the crossing and installation costs of the signs should be borne in accordance with an agreement which has been entered into between the parties relative thereto. A copy of the agreement, together with plans of the crossing approved by the McCloud River Railroad Company, should be filed with the Commission prior to commencing construction.

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

7. 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 United States Department of Agriculture, Forest Service, is authorized to relocate Sheep Heaven Road 40N11 at grade across the tracks of the McCloud River Railroad Company in Siskiyou 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 thirty days after the date hereof.

Dated at San Francisco, California, this 19th day of SEPTEMBER, 1978

William S. Sweeney President  
Vernon L. Sturgeon  
Charles W. Howell  
Paul T. Deibel Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.