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Decision No. 90622 JUL 31 1979

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 convert a private Crossing at Grade of the Tracks of McCLOUD RIVER RAILROAD COMPANY to Public grade crossing approximately Eleven miles east of the town of McCloud in the COUNTY of SISKIYOU, STATE OF CALIFORNIA

Application No. 58258  
(Filed July 28, 1978)

O P I N I O N

The United States Department of Agriculture, Forest Service, requests authority to convert the private grade crossing of Edson Creek Road 4LN06 across the tracks of the McCloud River Railroad Company in the Shasta National Forest, Siskiyou County, to a public crossing.

The Commission is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, Public Resources Code, Section 21000 et seq.

After review of the applicant's Environmental Assessment Report and inspection of the site, the Commission prepared an Initial Study and Negative Declaration. On April 23, 1979, a Notice of Preparation, together with an Initial Study and Negative Declaration, were sent to the Secretary for Resources. A notice to the public was published on May 3 and May 10, 1979, in the Mount Shasta Herald. No exceptions to the Negative Declaration were filed.

The crossing is located in undeveloped forest lands and will be part of a Forest Service Transportation System Road which will be used as a main haul route for a scheduled timber sale. All the land served by Edson Creek Road is managed for timber production and the great majority is within Shasta National Forest. Project improvements are limited to minor grading of the existing road and the addition of timber planking to the crossing.

Notice of the application was published in the Commission's Daily Calendar on August 1, 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 convert the private grade crossing of Edson Creek Road 41N06 across the tracks of the McCloud River Railroad Company in Siskiyou County to a public crossing, at the location and substantially as shown by plans attached to the application, to be identified as Crossing 26-11.5.
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).
5. Construction costs of the crossing and installation cost 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 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. The Commission is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended.
8. The Commission has followed the procedures required of a lead agency and will issue the Notice of Determination, as shown in Appendix A, upon approval of the project.
9. This project will not have a significant effect on the environment.

C O N C L U S I O N

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 convert the private grade crossing of Edson Creek Road 41N06 across the tracks of the McCloud River Railroad Company in Siskiyou County to a public crossing, as set forth in the finding 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 31st  
day of JULY, 1979.

John E. Bryan  
President  
James L. Sturgeon  
Richard D. Howell  
Clare T. Hedrick  
Thomas W. Quinn  
Commissioners

A. 58258

APPENDIX A

NOTICE OF DETERMINATION

TO: Secretary for Resources  
1416 Ninth Street, Rm. 1312  
Sacramento, CA 95814

FROM: California Public Utilities  
Commission  
350 McAllister Street  
San Francisco, CA 94102

SUBJECT: Filing of Notice of Determination in compliance with Section 21108  
or 21152 of the Public Resources Code.

Project Title: Edson Creek Road grade crossing of McCloud River Railroad Company  
Track.

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State Clearinghouse Number - 79051009

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Contact Person  
Art Aldridge

Telephone Number  
(415) 557-3448

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Project Location  
Siskiyou County, CA

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Project Description: The United States Department of Agriculture, Forest Service,  
will convert the private crossing of Edson Creek Road at grade across the tracks  
of McCloud River Railroad Company in the Shasta National Forest, Siskiyou County,  
to a public crossing.

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This is to advise that the California Public Utilities Commission as lead agency  
has made the following determination regarding the above described project:

1. The project has been  approved by the Lead Agency.  
 disapproved
2. The project  will have a significant effect on the environment.  
 will not
3.  An Environmental Impact Report was prepared for this project pursuant to  
the provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the  
provisions of CEQA. A copy of the Negative Declaration is attached.

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Date Received for Filing

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Executive Director

Date \_\_\_\_\_