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A2407019

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of the City of Willits to Construct At-Grade Crossings at Shell Lane Across the Great Redwood Trail Agency (GRTA) Rail Lines in the Vicinity of Mile Post 138.42 in the City of Willits, County of Mendocino, State of California.

Application 24-07-019

**ADMINISTRATIVE LAW JUDGE'S RULING ORDERING APPLICANT CITY OF WILLITS TO SUBMIT SUPPLEMENTAL ENVIRONMENTAL REVIEW INFORMATION**

**Summary**

This Ruling orders City of Willits to provide supplemental environmental review information and omitted Appendices to the *Willits Rail with Trail Project Initial Study/Mitigated Negative Declaration* dated March 24, 2022, attached as Exhibit E to original Application 24-07-019 (July 26, 2024) and First Amended Application 24-07-019 (December 27, 2024), respectively.

**Background**

On July 26, 2024, the City of Willits (Willits) filed Application (A.) 24-07-019 with its incorporated Exhibits A through E, seeking authority to replace an existing at-grade private highway-rail crossing with a new upgraded public highway-rail trail crossing (pedestrian and bicycle) at Shell Lane across currently inactive tracks of the Great Redwood Trail Agency Rail Lines near its Milepost 138.42 in the City of Willits and County of Mendocino, California (the July 26<sup>th</sup>

Application). The crossing proposed in A.24-07-019 is part of Applicant Willits' larger *Willits Rail with Trail Project*.<sup>1</sup> No party filed a protest or response to the July 26<sup>th</sup> Application.

On September 13, 2024 *Administrative Law Judge's Ruling Setting Remote Prehearing Conference & Prehearing Conference Statement Deadline* was issued, setting a prehearing conference (PHC) for October 3, 2024 and ordering Applicant to properly mark for identification Exhibits A through E attached to the July 26<sup>th</sup> Application.<sup>2</sup> During the October 3, 2024, PHC before Administrative Law Judge Andrea D. McGary, Applicant Willits was reordered to properly mark its intended Exhibits for identification and file any corrected Exhibits for Commission consideration in issuing a decision on A.24-07-019. Applicant Willits' filed an amended application with corrected Exhibits A, B1-B3, C, D, and E on December 27, 2024 <sup>3</sup> (December 27<sup>th</sup> Amended Application). No party filed a protest or response to the December 27<sup>th</sup> Amended Application.

Both Exhibit E to the July 26<sup>th</sup> Application and Exhibit E to the December 27<sup>th</sup> Amended Application include a document dated March 24, 2022, entitled *Willits Rail with Trail Project Initial Study/ Mitigated Negative Declaration* (collectively ISMND). The ISMND cites to Appendices A, B, C, and D.<sup>4</sup> The

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<sup>1</sup> Application at 2-4 and Exhibit (*Vicinity Map - Shell Lane Crossing*).

<sup>2</sup> See also October 3, 2024: *Reporter's Transcript of October 3, 2024 Prehearing Conference Virtual Proceeding*

<sup>3</sup> See *First Amended Application* (December 27, 2024).

<sup>4</sup> The ISMND cites to four Appendices, specifically Appendix A (*Figures*), Appendix B (*Biological Resources Report*), Appendix C (*Aquatic Resources Delineation*), and Appendix D (*True Survey Inventory*).

ISMND currently on file with the Commission is incomplete and does not include the cited Appendices.

Upon review, the Commission is informed and believes that the A.24-07-019 proceeding record is incomplete regarding critical information necessary for the Commission to complete its review and grant or deny the requested construction authority.

## **RULING**

Good cause appearing, Applicant City of Willits is Ordered to supplement the record of this Application 24-07-019 proceeding with information as the following matters:

1. *Willits Rail with Trail Project Initial Study/Mitigated Negative Declaration*, dated March 24, 2022:
  - a. Omitted Appendices:

Appendix A	Figures
Appendix B	Biological Resources Report
Appendix C	Aquatic Resources Delineation
Appendix D	Tree Survey Inventory

2. Environmental Review: Other documents, if any, Applicant would like the Commission to consider in assessing whether the Application 24-07-019 Package complies with the California Environmental Quality Act and any applicable environmental review requirements for grant of the requested rail crossing construction authority.

**Deadline:** Applicant shall fully comply with this Order by filing documents and information responsive to this Order on or before **February 19, 2025**. Applicant's filing must be titled "**Response to Administrative Law Judge Ruling Requesting Supplemental Environmental Review Information.**"

**IT IS SO ORDERED**

Dated February 3, 2025, at San Francisco, California.

/s/ ANDREA D. McGARY

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Andrea D. McGary  
Administrative Law Judge