



United States
Department of Agriculture

Forest Service

Shasta-Trinity National Forest
Shasta McCloud Management Unit

Mt. Shasta Ranger Station

204 West Alma Street
Mt. Shasta, CA 96067
(530) 926-4511
(530) 926-4512 - TDD
<http://www.fs.usda.gov/stnf>

File Code: 2720

Date: March 3, 2021

301716

Colin Shelman
McCloud Railway Company
10100 N Ambassador Dr. Suite 105
Kansas City, MO 64153

ENTERED
Office of Proceedings
March 3, 2021
Part of
Public Record

Dear Mr. Shelman:

The Shasta-Trinity National Forest has received your signed application (SF-299) on behalf of McCloud Railway Company for a Special Use Permit authorizing use, operation and maintenance of an existing railroad on approximately three (3) acres of National Forest System lands as part of a larger railroad alignment located on lands owned by 4-Rails, Inc. between the towns of McCloud and Mt. Shasta in Siskiyou County, CA. The request does not include any proposal to change or alter the existing infrastructure but will include routine maintenance of the existing line (e.g. brush removal, materials replacement, etc.) concurrent with use and maintenance of the adjoining railroad. This portion of the railroad line has been sold separately from the eastern portion and the entire line occupying NFS lands was previously authorized to both 4 Rails, Inc (MTS401501) and the McCloud River Railroad prior to its first sale.

Your application has passed both levels of the screening process (36 CFR 251.54(e)). There are two fees associated with the reauthorization of these uses. The processing fee covers the cost of evaluating and documenting the occupancy and use under the National Environmental Policy Act (NEPA), Endangered Species Act (ESA) and National Historic Preservation Act (NHPA) among others and authorizing the use under a Special Use Authorization. The monitoring fee covers Forest Service monitoring of any construction and mitigation activities. I do not expect this project will require minor monitoring fees. Any fees in excess of the need will be refunded. If additional fees are needed due to unforeseen delay or circumstance, an amendment to the Agreement and supplemental bill will be sent. We are authorized to collect these administrative fees under Title V of the Independent Offices Appropriations Act of 1952 and associated implementing regulations.

Based on the project description and resource information provided by your consultant, Arcadis, Inc. U.S, coordination needs with Caltrans, and the size and location of this use, we have estimated that the processing fee for this proposal is **\$5,230**. It is based on the hours required for processing the application, reviewing previous documentation for environmental and heritage review, documenting the decision and issuing the permit for this use. We estimate your application will require more than 50 hours to process, which places it in Category 6. Appendix C of the Major Agreement (enclosed) breaks down the scope of work showing hours and costs for processing your application.

The next step is for Mr. Michael Williams to sign and date the enclosed Cost Recovery Agreement and return it to Lands and Special Uses Officer Stacy Smith electronically via email (noted below) for countersignature by the Forest Supervisor.



Upon receipt of the fully executed agreement, you will receive a Bill for Collection for the processing fee **under separate mailing, with instructions on payment of the fee.** When payment of the processing fee is received by the Forest, we will contact you to discuss the project in more detail and gather any additional information necessary to complete our environmental review and prepare the permit if approved.

If you believe our fee estimate is in error, you may send a written request, with documentation supporting an alternate fee category and estimated fee, to Lands and Special Uses Officer Stacy Smith, 204 W. Alma Street, Mount Shasta, CA 96067. If you choose to pay the processing fee during the dispute, review of your application will proceed until the fee is reviewed and a determination made. If you choose not to pay the fee, your application will be placed on hold for 30 days for a final determination. If the dispute is decided in favor of the Forest Service, you will have the option to withdraw your application, and the processing fee will be canceled.

If you have any questions, please contact Special Use Officer Stacy Smith at (530) 925-3645 or stacy.l.smith@usda.gov.

Sincerely,

CAROLYN
NAPPER

Digitally signed by
CAROLYN NAPPER
Date: 2021.03.03
14:12:59 -0800

CAROLYN NAPPER
District Ranger

cc: Charles Montange – Legal Representation
Troy Forbis -Operations
Surface Transportation Board

Enclosures

Cost Recovery Agreement
Appendices A – C