

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

SAFETY DIVISION
UTILITIES SAFETY BRANCH

RESOLUTION SU-12
March 31, 1992

RESOLUTION

RESOLUTION SU-12, ORDER AUTHORIZING BAY AREA RAPID TRANSIT DISTRICT (BART) TO DEVIATE FROM RULES 79.4-B AND 79.4-D OF GENERAL ORDER (GO) 95, RULES FOR OVERHEAD ELECTRIC LINE CONSTRUCTION, RELATING TO RIGHT-OF-WAY FENCING AND GATES

SUMMARY

1. The staff of the Safety Division's Utilities Safety Branch requests authorization for a deviation to GO 95, Rule 79.4-B "MATERIAL AND HEIGHT", and Rule 79.4-D, "GATES", applicable to third rail systems, requiring minimum seven foot high fenced rights-of-way with access gates for the entrance of emergency vehicles and equipment at approximately one-half mile intervals.
2. BART requests to substitute concrete barriers for the bottom 3 feet of the required fencing, and access gates for emergency personnel and equipment, but not for vehicles, for its fenced right-of-way for the following four line extension projects: (1) Warm Springs Extension, (2) Colma Station Extension, (3) Pittsburg/Antioch Extension, and (4) Dublin/Pleasanton Extension. The gates are to be four feet wide, and wherever practicable, will provide at-grade access when concrete barrier protection is not required.

BACKGROUND

1. BART is in the design stage for a major system-wide expansion. Specifically, there are four extension projects underway; (1) The Warm Springs Extension will begin at the existing Fremont station, proceed south through a rail corridor and terminate at the Santa Clara county line. Three stations are proposed for this extension. (2) The Colma Station Extension will begin at the Daly City station and proceed southward for approximately one mile, terminating at a new Colma Station. (3) The Pittsburg/Antioch Extension will proceed 7.8 miles from the Concord station, north along Port Chicago Highway, and then continue eastward in the median of Highway 4 terminating at a new West Pittsburg station. (4) The Dublin/Pleasanton Extension will extend 12.8 miles from the Bay Fair Station in San Leandro, proceed east in the medians of Route 238 and Interstate 580, terminating at a new East Dublin/Pleasanton station.

2. Meetings were held with Commission staff, Department of Transportation staff (CalTrans), BART officials, and the Fire Liaison Committee (FLC) - which serves in an advisory capacity for the fire districts in BART's service area. An agreement was reached by all parties that incorporation of concrete barriers and personnel/equipment gates, excluding vehicles, will be acceptable for the BART right-of-way fencing on the four extension projects.

3. BART will meet all other requirements of Rule 79.4, "FENCING", concerning fence material, height, and protection. Concrete barriers and gates will be of a design compatible with the fencing.

DISCUSSION

1. All the concerned parties - Commission staff, CalTrans, BART and FLC representatives - are in agreement that concrete barriers and personnel/equipment gates are appropriate and will not compromise essential emergency access to the BART right-of-way.

2. It is not possible for emergency vehicles to operate in the track-way zone because; (1) vehicles cannot traverse the tracks and third rail, and (2) the narrow confines of the right-of-way does not allow for vehicle roads therein.

3. The concrete barriers and personnel/equipment gates will not prevent fire department access to the BART right-of-way in emergencies. The BART right-of-way is not designed to accommodate vehicles other than BART trains, and the FLC representatives do not anticipate the need for their vehicles to enter the BART right-of-way in emergencies.

4. Concrete barriers meet the standards contained in GO 95, Rule 79.4-C, "BARRIER PROTECTION OF FENCING", which requires that "suitable barriers" be present to protect fencing adjacent to highways and thoroughfares.

5. BART has agreed to seek local fire jurisdictions' input and position the personnel/equipment gates at locations such as street intersections, blue light stations, standpipes and other key points.

6. The personnel/equipment gates are to be four feet wide and securely locked, with the local fire jurisdiction provided with lock keys.

7. The Safety Division staff believes that concrete barriers and personnel/equipment gates will not adversely affect emergency access to the BART right of way and therefore will not compromise public safety.

FINDINGS

1. We find that emergency vehicle access to the BART right-of-way is not required nor practicable.
2. We find that concrete barriers substituted for the bottom 3 feet of the fence, and four feet wide personnel/equipment gates at approximately one-half mile intervals will provide adequate right-of-way access in emergencies.
3. We find that in extreme cases, local fire jurisdictions have the option of cutting the fence to meet any additional access needs they may require.
4. We find that the requested deviations to Rules 79.4-B and 79.4-D permitting the use of concrete barriers for the bottom 3 feet of the fence, and substituting personnel/equipment gates for vehicle access gates is safe and reasonable.

THEREFORE, IT IS ORDERED that:

1. BART is authorized to deviate from General Order 95, Rule 79.4-B "MATERIAL AND HEIGHT". When the BART at-grade right-of-way is within a highway median, the fencing may be constructed of concrete to a maximum height of three feet above the highway grade level. The remaining portion of the fencing shall be constructed as required in General Order 95, Rule 79.4, "FENCING". The concrete section of fencing may function as a barrier to prevent vehicle intrusion or damage to the fencing.
2. BART is authorized to deviate from General Order 95, Rule 79.4-D, "GATES", by providing gates for personnel/equipment, but not vehicles, along the at-grade BART right-of-way for the four extension projects previously described.
3. Gates are to be four feet wide and located at approximately one-half mile intervals.
4. Where concrete barrier protection is not required or not used, when practicable, gates will provide at-grade access.
5. As a condition of this deviation, BART will coordinate the location of personnel/equipment gates relative to street intersections, standpipes, blue light stations and other key points with the fire service agencies with local jurisdiction.

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6. The fencing and access gates are to conform to all other requirements contained in General Order 95, Rule 79.4, "FENCING" and will be appropriately designed to deny public access to the BART right-of-way.

7. This resolution is effective today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on March 31, 1992. The following Commissioners approved it:


NEAL J. SHULMAN
Executive Director

DANIEL Wm. FESSLER
President
JOHN B. CHANLAN
PATRICIA M. ECKERT
NORMAN D. SHUMWAY
Commissioners