

## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



July 2, 2018

Agenda ID# 16651

## TO PARTIES TO RESOLUTION ST-216

This is the Resolution of the Safety and Enforcement Division. It will be on the August 9, 2018, Commission Meeting agenda. The Commission may act then, or it may postpone action until later.

When the Commission acts on the Resolution, it may adopt all or part of it as written, amend or modify it, or set it aside and prepare its own decision. Only when the Commission acts does the resolution become binding on the parties.

Parties may file comments on the Resolution as provided in Article 14, Rule 14.5 of the Commission's Rules of Practice and Procedure (Rules), accessible on the Commission's website at [www.cpuc.ca.gov](http://www.cpuc.ca.gov). Opening comments shall not exceed 15 pages. Late-submitted comments or reply comments will not be considered.

An electronic copy of the comments should be submitted to Joey Bigornia (email: [joey.bigornia@cpuc.ca.gov](mailto:joey.bigornia@cpuc.ca.gov)).

/s/ ELIZAVETA MALASHENKO  
ELIVAVETA MALASHENKO, Director  
Safety and Enforcement Division

DAR:PD2

Attachment

## **CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of Draft Resolution ST-216 on all identified parties in this matter as shown on the attached Service List.

Dated July 2, 2018, at San Francisco, California.

/s/ PATRICK DONNELLY  
Patrick Donnelly

## **NOTICE**

Parties should notify the Safety and Enforcement Division of any change of address to ensure that they continue to receive documents. You must indicate the Resolution number on which your name appears.

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

Safety and Enforcement Division  
Rail Transit Safety Branch

Resolution ST-216  
August 9, 2018

**REDACTED**

**RESOLUTION**

**RESOLUTION ST-216 GRANTING APPROVAL OF THE FINAL REPORT  
ON THE 2017 TRIENNIAL ON-SITE SECURITY REVIEW OF BAY AREA  
RAPID TRANSIT DISTRICT**

**SUMMARY**

This resolution approves the California Public Utilities Commission Safety and Enforcement Division final report titled, "2017 Triennial On-Site Security Review of Bay Area Rapid Transit District," dated November 12, 2017. The report compiles the results of Commission Staff review of the Bay Area Rapid Transit District's security program. Only background information and review procedures are included in the redacted report; findings and recommendations are not.

**BACKGROUND**

Commission General Order No. 164-D, "Rules and Regulations Governing State Safety Oversight of Rail Fixed Guideway Systems" requires Commission Staff (Staff) to conduct on-site security review of the transit agencies operating rail fixed guideway systems triennially.

From 1996 to 2008, the Commission's Rail Transit Safety staff partnered with the Transportation Security Administration (TSA) in performing rail transit security reviews. However, in the latter half of 2008, Commission

August 9, 2018

Staff took over the responsibility of security reviews from the TSA. Staff conducted an on-site security review of the Bay Area Rapid Transit District (BART) security program in October 2017. BART provides rail transit services 365 days of the year throughout the counties of San Francisco, Alameda, San Mateo, and Contra Costa.

A full description of the security review, including the scope, results, and recommendations, is contained in the final security review report identified in this resolution as Attachment A.

The security review results show that BART is in compliance with its System Security Plan. Staff did not find any areas of non-compliance during the review. Activities of each checklist can be found in Section D of the security report.

### **DISCUSSION**

The final report, "2017 Triennial On-Site Security Review of Bay Area Rapid Transit District," dated November 12, 2017, included as Attachment A, identifies Staff's activities for each of the five Federal Transit Administration security elements evaluated during the security review.

Staff recommends the Commission approve the final security review report titled, "2017 Triennial On-Site Security Review of Bay Area Rapid Transit District," dated November 12, 2017.

### **NOTICE**

On July 3, 2018, this Resolution was published on the Commission's Daily Calendar.

August 9, 2018

**CONFIDENTIAL INFORMATION**

Public Utilities Code Section 583 states:

No information furnished to the commission by a public utility, or any business which is a subsidiary or affiliate of a public utility, or corporation which holds a controlling interest in a public utility, except those matters specifically required to be open to public inspection by this part, shall be open to public inspection or made public except on order of the commission, or by the commission or a commissioner in the course of a hearing or proceeding. Any present or former officer or employee of the commission who divulges any such information is guilty of a misdemeanor.

The confidential appendices, marked "[CONFIDENTIAL]" in the public copy of this resolution should remain confidential at this time.

**COMMENTS**

The draft resolution of the Safety Enforcement Division in this matter was mailed to the Parties of Interest on July 2, 2018 in accordance with Section 311 of the Public Utilities Code and Rule 14.2(d)(1) of the Commission's Rules of Practice and Procedure. \_\_\_\_\_ comments were received.

**THEREFORE, IT IS ORDERED THAT:**

1. The Safety and Enforcement Division's request for approval of the final security review report titled, "2017 Triennial On-Site Security Review of Bay Area Rapid Transit District," dated November 12, 2017, is granted.
2. This resolution is effective today.

August 9, 2018

I certify that this resolution was adopted by the Public Utilities Commission at its regular meeting held on August 9, 2018. The following Commissioners voting favorably thereon:

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ALICE STEBBINS  
Executive Director



## **ATTACHMENT A**

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# **2017 TRIENNIAL SECURITY REVIEW OF THE BAY AREA RAPID TRANSIT DISTRICT (BART)**

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RAIL TRANSIT SAFETY BRANCH  
SAFETY AND ENFORCEMENT DIVISION  
CALIFORNIA PUBLIC UTILITIES COMMISSION  
505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102

November 12, 2017

(Public Redacted)

Daren Gilbert, Program Manager  
Rail Transit Safety Branch  
SAFETY AND ENFORCEMENT DIVISION



# **2017 TRIENNIAL SECURITY REVIEW OF BAY AREA RAPID TRANSIT DISTRICT**

## **ACKNOWLEDGEMENT**

The California Public Utilities Commission's Rail Transit Safety Branch (RTSB) staff conducted this system security program review. Staff members directly responsible for conducting review and inspection activities include:

Daren Gilbert – Rail Transit Safety Branch Program Manager  
Stephen Artus – Program and Project Supervisor  
Steve Espinal - Senior Utilities Engineer Supervisor  
Colleen Sullivan – CPUC Designated Representative to BART  
Howard Huie - Utilities Engineer  
Rupa Shitole - Utilities Engineer  
Joey Bigornia - Utilities Engineer

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## 1. EXECUTIVE SUMMARY

The California Public Utilities Commission's (Commission) Safety and Enforcement Division (SED), Rail Transit Safety Branch staff (Staff) conducted an on-site system security review of the Bay Area Rapid Transit District (BART) on September 22, 2017. The review was focused on verifying the effective implementation of the System Security Plan (SSP), addressing Threat & Vulnerability Assessments (TVA) and emergency response.

The on-site review was preceded by an opening conference meeting between BART personnel and Staff, on Monday, September 11, 2017. The security review took place on September 22, 2017 and focused on verifying the effective implementation of BART's SSP.

Following the on-site security review, staff held a post-review conference with the BART Manager of Security Systems on November 3, 2017. Staff provided a preliminary summary report detailing the on-site review findings.

The security review results indicate BART has a comprehensive system security plan and has effectively implemented its SSP. The five (5) checklists used for the 2017 Triennial Security Review did not find any inconsistencies, therefore no recommendations are issued.

The report Introduction is presented in Section 2. The Background, in Section 3, contains a description of the BART rail system. Section 4 provides a description of the 2017 security review procedures. The review's findings and recommendations are listed in Section 5. A listing of the Acronyms is in Appendix A. The BART 2017 Triennial Security Review Checklist Index and the Recommendations List are included in Appendices B and C, respectively. The Triennial Security Review Checklists are presented in Appendix D.

Warning: This record contains Sensitive Security Information (SSI) that is controlled under 49 CFR parts 15 and 1520. No part of this record may be disclosed to persons without a "need to know" as defined in 49 CFR parts 15 and 1520, except with the written permission of the Administrator of the transportation security Administration or the secretary of Transportation. Unauthorized release may result in civil penalty or other action. For U.S. government agencies, public disclosure is governed by U.S.C. 552 and 49 CFR parts 15 and 1520.

## 2. INTRODUCTION

The Commission's General Order (GO) 164-D, *Rules and Regulations Governing State Safety Oversight of Rail Fixed Guideway Systems*, and the Federal Transit Administration's (FTA) Rule, Title 49 Code of Federal Regulations (CFR) Part 659, *Rail Fixed Guideway Systems: State Safety Oversight*, require the designated State Safety Oversight Agencies to perform a review of each rail transit agency's system safety and security program(s) at a minimum of once every three years. The purpose of the triennial review is to evaluate the effectiveness of each rail transit agency's System Security Plan (SSP) and to assess the level of compliance with GO 164-D as well as other Commission safety and security requirements. Staff conducted the previous BART on-site security review in February 2014.

Staff first notified BART's General Manager by letter, dated August 11, 2017, of the scheduling of the Commission's Security Review to begin on September 22, 2017. The notification provided BART with the opportunity to review the Triennial Safety and Security checklists as well as to provide comments.

The Triennial Safety and Security Review began with an opening conference meeting on September 11, 2017, attended by CPUC Staff and BART's Police Chief and BART's Manager of Security Programs.

Staff performed the triennial security review on September 22, 2017, at the BART offices. Staff developed five (5) checklists for the inspection of the System Security Plan Staff derived the checklist review questions from CPUC's GO 164-D, FTA's 49 CFR659, Transportation Security Administration's (TSA) Baseline Security Review, and BART's SSP. At the conclusion of each review activity, staff provided BART personnel a verbal summary of the preliminary findings and discussed preliminary recommendations for corrective actions.

On September 22, 2017, staff conducted a post-review exit meeting with BART's Manager of Security Programs. Staff provided a finding synopsis from the 5 checklists but did not issue any recommendations.

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### 3. BACKGROUND

The Bay Area Rapid Transit District (BART) began operation on September 11, 1972 with 28 miles of track in Alameda County, servicing Oakland to Fremont. The second segment opened on January 29, 1973, with 12 miles of track extending the service from Fremont to Richmond. The third segment opened on May 21, 1973, with 17 additional miles of track marking the opening of the Concord Line. On November 5, 1973, service began between the Montgomery Street Station in downtown San Francisco and the Daly City Station, adding another 7.5 miles of track to the system. Transbay service began on September 16, 1974, bringing the full 71.5 miles of track into service. On May 27, 1976, the Embarcadero Station officially opened for revenue service, bringing the total station count to 34. The Embarcadero Station added no additional track miles.

#### *Additional Extensions*

The extension to North Concord/Martinez Station opened on December 16, 1995, adding 2.25 miles of track north of the Station. On February 24, 1996, Colma Station opened for revenue service, adding 1.6 miles of track south of the Daly City Station. The Pittsburg/Bay Point Station was the next to be opened for revenue service on December 7, 1996, completing a 7.8-mile segment of the Pittsburg/Antioch Extension from the Concord Station. The Dublin/Pleasanton extension opening followed on May 10, 1997, adding 14 miles of track and two stations to the system. The San Francisco Airport extension opened on June 22, 2003 adding four stations and 8.7 miles of track. Currently, the system operates six lines on 107.2 miles of track with 44 stations.

The BART system operates six lines. These are:

- Warm Springs/South Fremont – Daly City Line
- Dublin/Pleasanton – Daly City Line
- Pittsburg/Bay Point – SFO Line/Millbrae Line
- Richmond – Millbrae Line
- Richmond – Fremont Line
- Oakland Airport Connector

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### **Oakland Airport Connector (OAC)**

BART's Oakland Airport Connector (OAC), also known as BART to OAK, began revenue operation on November 22, 2014. The system was designed and constructed by Flatiron Construction and Parsons Transportation along with Doppelmayr Cable Car (DCC) who designed, manufactured, and supplied the Automated People Mover (APM) system and guideway. DCC now operates and maintains the system as part of a 20-year BART Operations and Maintenance Contract.

The OAC is a fully automated driverless transportation system operating along a 3.2 mile partially elevated, partially at-grade, partially below-grade, dual guideway, providing a comfortable and reliable link between the Airport Station and Coliseum Station. The APM system operates with up to four cable propelled 3-car trains. Each station consists of a single-sided passenger boarding platform with a barrier wall and automatic platform door system separating the passenger platform from the guideway tracks. Near the mid-point of the end stations is the maintenance and storage facility (or Wheelhouse). The Wheelhouse houses administrative offices, the Central Control Room, the ropeway drive machinery, and provisions for trains to be stored off of the mainline for maintenance. Two Tow/Maintenance Vehicles allow personnel to perform guideway inspections and maintenance activities, including towing revenue vehicles in and out of service.

The initial system consists of four 3-car trains operating in a pinched loop configuration on two separate lanes. The system is expandable, when built to ultimate capacity (4-car trains), to provide a peak period line capacity of 1900 passengers per hour per direction (pphpd).

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### *Planned Extensions*

BART has several system extensions currently in the construction phase.

#### **Santa Clara Valley Transportation Authority/Silicon Valley Rapid Transit (VTA/SVRT) Project**

The Santa Clara Valley Transportation Authority/Silicon Valley Rapid Transit (VTA/SVRT) Project is a 16.3-mile extension from the planned Warm Springs Station to Milpitas alongside Union Pacific Railroad tracks, continuing to 28<sup>th</sup> Street and Santa Clara Street in San Jose, then proceeding underground through downtown San Jose to the Diridon Caltrain Station and finally terminating at the Santa Clara Station. This project has been divided into 2 phases:

- Silicon Valley Berryessa Extension (SVBX) – 10 miles in length which is currently under Construction & Testing
- Santa Clara Valley Extension - 6.3 miles in length which is currently under Federal EIS Review

Staff has been monitoring the engineering design and construction phases of this project through the Safety Certification process, and the Commission approved BART's Safety Certification Plan with Resolution ST-83.

#### **East Contra Costa BART Extension (eBART) Project**

The East Contra Costa BART Extension (eBART) Project will provide passenger service along 10 miles of the California State Route 4 corridor connecting east of the Pittsburg/Bay Point Station. The extension will use unique Diesel Multiple Unit (DMU) vehicles instead of standard BART's heavy rail trains, and includes two new stations and a transfer platform to provide timed transfers between eBART and traditional BART trains. Staff has been monitoring the engineering design and construction phases of this project through the Safety Certification process, and the Commission approved BART's Safety Certification Plan with Resolution ST-112. eBART went into service on May 26, 2018.

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### **New Vehicle Procurement Project**

BART has a new vehicle procurement project underway to add up to 1000 new rail cars to its existing fleet. The new cars will be rolled out between 2017 and 2021. Staff has been monitoring the procurement project through the Safety Certification process, and the Commission approved BART's Safety Certification Plan with Resolution ST-150.

### **Status of the 2014 BART Triennial Security Review Recommendations**

Staff performed the previous triennial on-site security review on February 6, 2014, which resulted in no findings or recommendations. Results of the 2014 review demonstrated that BART had an effective security program in place during that time.

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#### 4. REVIEW PROCEDURE

Staff conducted the 2017 Triennial Security Review in accordance with Rail Transit Safety Section Procedure Four (4), *Procedure for Performing Triennial Safety & Security Reviews of Rail Transit Systems*. Staff developed five (5) checklists to evaluate the adequacy of BART's system security plan and the efficacy of its implementation.

The security evaluation includes the BART security department, programs and processes which have system security functions and responsibilities. The review is based on Commission and FTA requirements, BART's SSP, TSA baseline review list, TSA security related documents, and the staff's knowledge of the BART transit system. The five (5) checklists are listed in Appendix D.

Staff's checklist identifies the core security-related elements and characteristics reviewed. Each checklist references Commission, BART, and other documents that establish the security program requirements. The methods used to perform the review include:

- Discussions and interviews with Manager of Security Programs
- Reviews of rules, procedures, policies, and records

Immediately following the security review, Staff summarized the findings and the preliminary recommendations (if appropriate) with BART's Manager of Security Programs. The post-review summary is beneficial for clarifying findings or best-practices and provided BART an opportunity to promptly address any necessary security improvements.

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## 5. FINDINGS AND RECOMMENDATIONS

(Confidential)

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## APPENDIX A ACRONYMS LIST

<b>Abbreviation / Acronym</b>	<b>Description</b>
APM	Automated People Mover
BART	Bay Area Rapid Transit District
CAP	Corrective Action Plan
CFR	Code of Federal Regulations
Commission	California Public Utilities Commission
CPTED	Crime Prevention Through Environmental Design
CPUC	California Public Utilities Commission
DCC	Doppelmayr Cable Car
DMU	Diesel Multiple Unit
eBART	East Contra Costa BART Extension
FTA	Federal Transit Administration
GO	General Order
ICS	Incident Command System
ISA	Internal Security Audit
OAC	Oakland Airport Connector
OCC	Operations Control Center
RTSB	Rail Transit Safety Branch
SARA	Scanning Analysis Response Assessment
SSP	System Security Plan
Staff	Safety and Enforcement Division personnel
TSA	Transportation Security Administration
TVA	Threat and Vulnerability Assessment
VT/SCVTA	Santa Clara Valley Transportation Authority

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**APPENDIX B**  
**BART 2017 TRIENNIAL SYSTEM SECURITY REVIEW CHECKLISTS INDEX**

- 1 Identify Policies, Goals and Procedures
- 2 Process for Management of Threat and Vulnerability (TVA)
- 3 ID Concepts for Passenger and Employee Security
- 4 Process for Internal Security Reviews
- 5 Process for Generating its Security Plan

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**APPENDIX C**  
**BART 2017 TRIENNIAL SYSTEM SECURITY REVIEW**  
**RECOMMENDATION LIST**

No.	Recommendations	Checklist No.
	(Confidential)	

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**APPENDIX D**  
**BART 2017 TRIENNIAL SYSTEM SECURITY REVIEW CHECKLISTS**  
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