PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

|  |  |
| --- | --- |
| Rail Safety DivisionRail Transit Safety Branch | Resolution ST-232March 18, 2020 |

RESOLUTION

RESOLUTION ST-232 GRANTING APPROVAL
OF THE FINAL REPORT ON THE
2019 TRIENNIAL SECURITY REVIEW OF
SACRAMENTO COUNTY DEPARTMENT OF AIRPORTS AUTOMATED PEOPLE MOVER SYSTEM

Summary

This Resolution approves the Rail Safety Division final report, titled "2019 Triennial Security Review of Sacramento County Department of Airports Automated People Mover system," dated January 22, 2020. The report includes the results of the Commission Staff review of the Sacramento County Department of Airports Automated People Mover System Security Program and its compliance with its System Security Plan, the Commission’s General Order 164-E and applicable state and federal rules and regulations. The review identified no findings of non-compliance. While Staff makes no recommendations for corrective actions, the report includes one comment. Given the results of this triennial security review, Staff recommends no fines or penalties be assessed by the Commission.

Background

General Order (GO) No. 164-E, "Rules and Regulations Governing State Safety Oversight of Rail Fixed Guideway Systems" requires Commission Staff (Staff) to conduct on-site system safety and on-site system security reviews of the transit agencies operating rail fixed guideway systems at least once every three years. These are commonly referred to as triennial safety and triennial security reviews. Staff conducts triennial safety and security reviews to evaluate compliance with an agency’s own plans and procedures as well as safety and security laws and regulations applicable to the agency.

From 1996 to 2008, the Commission’s Rail Transit Safety Branch (RTSB) partnered with the Transportation Security Administration (TSA) in performing rail transit security reviews. However, in the latter half of 2008, RTSB took over the responsibility of security reviews from the TSA.

Staff conducted an on-site security review of the Sacramento County Department of Airports Automated People Mover (SCDOA APM) security program in May 2019. SCDOA APM is the APM for Sacramento International Airport, which provides transit services 365 days of the year for Terminal B.

The final report provides a full description of the Commission’s SCDOA APM security review, including the scope, results, and recommendations, and is identified in this resolution as Attachment A.

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.

Staff sent the SCDOA APM Security Personnel a copy of the draft security review report for a 30-day comment period on December 19, 2019. SCDOA APM responded electronically with no comments on the draft security review report, on January 9, 2020.

Scope of Security Review

Commission Staff conducted its security review in accordance both with guidance and training from the Federal Transit Administration (FTA), and with Title 49 Code of Federal Regulations, Part 659. Section 659.23 of the Code of Federal Regulations defined the requirements for a System Security Plan (SSP) for rail transit agencies at the time of the review.

According to section 659.23, the system security plan must, at a minimum address the following:

a. Identify the policies, goals, and objectives for the security program endorsed by the agency's chief executive;

b. Document the rail transit agency's process for managing threats and vulnerabilities during operations, and for major projects, extensions, new vehicles and equipment, including integration with the safety certification process;

c. Identify controls in place that address the personal security of passengers and employees;

d. Document the rail transit agency's process for conducting internal security reviews to evaluate compliance and measure the effectiveness of the system security plan; and

e. Document the rail transit agency's process for making its system security plan and accompanying procedures available to the oversight agency for review and approval.

Section 659.23 provides the basis for the five security checklists that guided Staff’s review of the SCDOA APM security program. Staff evaluated the SCDOA APM security plans and procedures to determine whether they comply with the requirements of section 659.23. The triennial security review evaluates whether SCDOA APM has defined necessary security activities, established responsibilities and accountability, set priorities, provided employee training, developed information distribution and controls, and developed monitoring and feedback loops to determine effectiveness of the security plans and procedures.

Each Staff member involved in the security review received training from the FTA. All Staff successfully passed the Transit System Security Course (TSSC), which provides in-depth instruction on the federal security plan requirements, typical methods of compliance, and industry best practices.

Moreover, all Staff in the RTSB attend the FTA TSSC as part of their overall training. This allows Staff members out in the field to promptly identify security concerns while conducting general oversight activities or inspecting transit agency facilities and operations, not just during the triennial security review period. Staff evaluates and identifies security issues in the field, which are immediately discussed with the appropriate transit agency personnel to initiate the process for addressing the concern.

Discussion

The final report, “2019 Triennial Security Review of Sacramento County Department of Airports Automated People Mover System," dated January 22, 2020, included as Attachment A, identifies Staff activities for each of the five checklists covering the six items that Title 49 of Code of Federal Regulations, Chapter 659 (49 CFR 659) and the Commission’s GO 164-E require for inclusion in each Rail Transit Agency’s SSP. Staff concluded that SCDOA APM demonstrated compliance with both statutory and regulatory obligations and its SSP.

For the purpose of the security reviews, “security” means the general areas identified in the FTA requirements of Section 659.23. Staff inquiries during the review examine whether the processes and procedures SCDOA APM adopted are implemented in accordance with statute and the SCDOA APM SSP. Staff does not evaluate SCDOA APM’s response to specific crimes or events, except during evaluations to assure processes and procedures in place are implemented as intended. Specific crimes and criminal behavior that may occur on trains and stations is considered outside of scope of the review and are handled by the local jurisdiction’s police department.

Rail Safety Division (RSD) Staff recommends that the Commission approve the final security review report titled, “2019 Triennial Security Review of Sacramento County Department of Airports Automated People Mover System," dated January 22, 2020.

Notice

On February 12, 2021, this Resolution was published on the Commission’s Daily Calendar.

Comments

The draft resolution of the Rail Safety Division in this matter was mailed 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.

Findings

1. The RSD RTSB Staff conducted an on-site security review of SCDOA APM on May 21, 2019. Staff conducted a post-review exit conference with SCDOA APM Management on June 24, 2019.
2. The security report results show no findings of non-compliance were identified during the review. Comment items are described, where applicable, in the Findings/Comments/Recommendations section of each checklist and in the body of the final report.
3. SCDOA APM indicated to Staff they have developed and implemented corrective action plans, if necessary, for all of the Comments identified in the report.
4. No material in the attached Report contains any Security Sensitive Information requiring a confidential version of this Resolution or the Report to be issued.

Therefore, it is Ordered That:

1. The Rail Safety Division's request for approval of the final security review report titled, “2019 Triennial On-Site Security Review of Sacramento County Department of Airports Automated People Mover” dated January 22, 2020, is granted.
2. This resolution is effective today.

I certify that this resolution was adopted by the Public Utilities Commission at its regular meeting held on March 18, 2021. The following Commissioners voting favorably thereon:

Rachel Peterson

Executive Director

**ATTACHMENT A**

2019
TRIENNIAL SECURITY REVIEW OF
SACRAMENTO COUNTY DEPARTMENT OF AIRPORTS (SCDOA) AUTOMATED PEOPLE MOVER SYSTEM

**TABLE OF CONTENTS**

Page

1. EXECUTIVE SUMMARY 1

2. INTRODUCTION 2

3. BACKGROUND 3

4. SECURITY REVIEW PROCEDURE 7

5. FINDINGS AND RECOMMENDATIONS 10

Page

APPENDICES 9

A. Abbreviation and Acronym List 10

B. SCDOA 2019 Triennial Security Review Checklist Index 11

C. SCDOA 2019 Triennial Security Review Checklists 12

CS# 365628223