

## 4.13 Security and System Safety

### 4.13.1 Introduction

This section describes the affected environment and environmental consequences related to security and system safety from operations of the NEPA Alternatives. Information regarding BART security and system safety was obtained from the BART Police Department, *Response to VTA Information Request to BART Police Department (2015)* and Santa Clara County, *Santa Clara County Sheriff (2015)*.

### 4.13.2 Environmental and Regulatory Setting

#### 4.13.2.1 Environmental Setting

This section discusses the existing conditions related to security and system safety for the BART Extension, including the entire alignment, stations, maintenance yard, and system facilities, and vicinity.

*Security* refers to the prevention of unlawful acts resulting in harm to persons or damage to property. In a broader sense, it also implies freedom from threats or uncertainty about the likelihood of threatening acts. Crime and antisocial behavior are potential problems in any public environment.

*System safety* refers to the prevention of accidents to the riding public, employees, and others present at the BART Extension, which include aerial structures, stations, tracks, pedestrian walkways, parking lots, parking structures, bus transfer center, trains, and the trackway. Accidents may be caused by events such as fires, faulty equipment, faulty software, inadequate procedures or training, improper boarding and alighting of the rail and bus vehicles, and improper passenger drop-off and loading. Fire and life safety considerations involve preventive design criteria and those that provide protection for people and property during an emergency.

#### VTA and Other Transit Facilities

Security and safety measures are already in place to serve current transit operations and related pedestrian activities near existing transit facilities and bus stops in the area. VTA's Protective Services Division provides security for VTA bus and light rail service and facilities in coordination with the Santa Clara County Sheriff and Allied Barton Security Services LLC., a private security contractor under contract to VTA.

## Security

### BART Police Department

The BART Police Department has primary jurisdiction for responding to, and investigating, all criminal incidents at facilities owned or operated by the BART District. Members of the BART Police Department are authorized as peace officers with full police powers within the State of California under California Penal Code Section 830.33(a). The BART Police Department's sworn officers are supported by a professional staff consisting of community service officers, communications and 9-1-1 dispatchers, revenue protection guards, police administrative specialists, and civilian supervisors and managers. The department is currently staffed by 208 sworn and 91 civilian employees.

The BART Police Department is responsible for responding to, and emergency management of, security incidents. It maintains the BART District's System Security Plan and provides emergency management in accordance with the BART District's Emergency Plan.

In accordance with national best practices, the BART Police Department maintains an emergency response time standard of 5 minutes to in-progress crimes against persons or property. The department currently meets the emergency response time standard and the department's compliance with the standard is continuously measured and tracked on BART's district-wide Quarterly Performance Report.

Subject to final agreement between BART and VTA, VTA anticipates that BART would be responsible only for policing the BART Operating Corridor, which consists of BART trains, tunnels and operating rights-of-way, and the paid and free station areas. VTA would be responsible for providing police and security for all areas outside the Operating Corridor, although VTA may contract separately with BART to perform these services.

The BART Police Department maintains cooperative agreements with neighboring law enforcement agencies to establish jurisdictional responsibilities to protect life and property. Personnel from the BART Police Department handle various types of incidents from simple infractions to complex felonies, and surrounding police departments provide assistance to BART police personnel as needed. This assistance ranges from providing back-up to BART police officers at major incidents, to providing intelligence information on suspects in ongoing criminal investigations. The department also provides training to first responders in local agencies on specific hazards and problems associated with police operations in the BART operating environment. BART police personnel participate in regional Multi-Agency Mobile Field Force teams for the response to regional incidents requiring mutual aid.

The BART Police Department relies on criminal intelligence information provided by the local fusion center, the Northern California Regional Intelligence Center (NCRIC), and assists NCRIC by providing Suspicious Activity Report (SAR) data to the NCRIC database. The NCRIC then combines the SAR data into an intelligence picture that is shared within the region to spot criminal trends, including terrorist plots.

## System Safety

BART has a separate System Safety Department, which is responsible for all operational safety related matters. The System Safety Department is primarily responsible for ensuring that operational safety procedures are developed and implemented throughout the BART District. The System Safety Department maintains the District's System Safety Program Plan, which states, "Safety is the major consideration in all [BART] operations including planning, design, construction, testing, and maintenance of the rail transit system." Implementation of the program includes the setting of safety goals and objectives, as well as hazard identification, reduction, and control throughout the system.

The BART System Safety Department is responsible for the monitoring of safety performance to identify any failures and deficiencies in the program, including accidents on BART property and within the BART operating system, and for implementing corrective measures. Where it is determined that unsafe conditions exist, the manager of the System Safety Department has the authority to interrupt or cease BART operations.

The System Safety Department also contributes to the development of BART's Emergency Plan, the authoritative procedure to be used during an emergency. The plan establishes standard policies and procedures for the mobilization of BART and other public safety resources so that fast, controlled, and predictable responses can be made to various types of emergencies. Specific response procedures for a full range of foreseeable types of emergencies are addressed in the plan and include response procedures for train fires, derailments, injuries or deaths on the right-of-way (ROW), ROW intrusions, earthquakes, high winds, flooding, gas leaks and toxic spills, bomb threats, explosions, and hostage situations. In all cases, the Emergency Plan identifies the responsibilities of the involved persons and authorities (e.g., train operators, BART Central Control, BART police, the responding fire departments) and sets forth an operations plan for each type of emergency. The various operations plans address the initial fact finding and reporting procedures, communication requirements, evacuation and rescue procedures, emergency scene boundaries and restrictions, public information procedures, and related factors.

In accordance with BART emergency procedures, local fire departments are the primary responders in the event of a fire within the BART system. Under an agreement with all fire departments for the existing system, the local fire department would assume overall command of any fire emergency scene, in cooperation with BART Central Control. Information on local fire departments within the corridor is provided in Section 4.4, *Community Services and Facilities*.

### 4.13.2.2 Regulatory Setting

The BART Extension would be required to comply with the following federal codes for tunnel and station ventilation, and for train and station circulation and exiting.

- National Fire Protection Association (NFPA) 130 Fixed Guideway Transit Systems.

- National Fire Protection Association (NFPA) 101 Life Safety Code.
- U.S. Department of Transportation Subway Environmental Design Handbook, Volume 1.
- 28 Code of Federal Regulation (CFR) Part 36, Americans with Disabilities Act, Standards for Accessible Design.

### 4.13.3 Methodology

The BART Extension would have an *adverse effect* on public safety if it would increase risk of accidents on a regional scale. Such an effect would increase the risk of criminal or terrorist acts on a regional scale.

### 4.13.4 Environmental Consequences and Mitigation Measures

This section identifies impacts and evaluates whether they would be adverse according to NEPA using the criteria identified in Section 4.13.3, *Methodology*. This section also identifies design commitments, best management practices, and other measures to avoid, minimize, or mitigate impacts.

#### 4.13.4.1 No Build Alternative

The No Build Alternative consists of the existing transit, highway, roadway, bicycle, and pedestrian facilities, in addition to planned and programmed improvements (see Chapter 2, Section 2.2.1, *NEPA No Build Alternative*, for a list of these projects). These projects would likely result in the potential for security and safety incidents typically associated with transit, highway, roadway, bicycle, and pedestrian facilities. Typically, a system safety plan and emergency response plan would be developed for each project, and appropriate security and safety systems would be installed in facilities to minimize the potential for harm to persons and damage to property. Projects planned under the No Build Alternative would undergo separate environmental review to determine whether the projects would adversely affect security and system safety, which would include an analysis of mitigation measures to mitigate potential impacts on security and system safety.

#### 4.13.4.2 BART Extension Alternative

The BART Extension Alternative carries the potential for security and safety incidents in the trains, along the rail alignment, and near and within rail stations and entrances, parking lots and structures, and amenities located at street level. Also of concern would be passenger safety onboard trains.

#### Security

A BART Police Station at the Berryessa Station is being constructed by VTA as part of the Phase I Project and will serve the Phase II Project as well. BART would conduct a needs

assessment for any additional staffing and equipment that may be required for the BART Extension. The level of additional need would be partially based on the future negotiations with the BART Police Department regarding their area of responsibility along the extension. Currently, VTA anticipates that the BART Police Department would have primary responsibility within the Operating Corridor, generally defined as consisting of onboard trains, tunnels and operating rights-of-way, and within the paid and free area of stations out to the “dripline” of the stations, subject to final agreement between BART and VTA.

As discussed in Section 4.4, *Community Facilities and Public Services*, VTA would coordinate with the Santa Clara County Sheriff’s Office (SCCSO) to police areas outside the Operating Corridor. VTA and BART would also expand existing mutual-aid agreements with local police providers in the cities of San Jose and Santa Clara.

Fencing would be installed along the at-grade and depressed BART alignments and at tunnel portals. Fencing would separate the BART tracks from the Union Pacific Rail Road (UPRR) tracks to prevent passengers from crossing tracks after disembarking from a train. BART stations and parking areas would be lighted and have designated walkways for pedestrians. Passengers disembarking and walking to their destinations would be clearly directed to use sidewalks and crosswalks. Station platforms, fare gates, and elevators would be monitored by CCTV. BART would ensure that there is adequate police presence, as well as surveillance cameras and emergency call boxes, at all BART stations and parking facilities.

Application of the design requirements discussed in this section would reduce safety and security risks associated with the BART Extension. Implementation of the national, state, and district codes, regulations, and guidelines listed in Section 4.13.2.2, *Regulatory Setting* are designed to provide a safe and secure environment. The BART Police Department, in coordination with local jurisdictions, would implement BART’s System Security Plan and Emergency Plan for their areas of responsibility. BART’s police force staff would be expanded to cover the extension. The existing agreement between VTA and SCCSO would also be expanded to include services for the BART Extension not covered by BART’s police force and safety department staff. In addition, VTA and BART would expand existing mutual aid agreements with the Cities of San Jose and Santa Clara.

## **System Safety**

The BART Extension will follow applicable codes and standards including the California Building Code and BART Facilities Standards Design Criteria. The BART Facilities Standards Design Criteria specify design requirements for all new BART projects, and have been developed to provide a high level of security and safety in a cost-effective manner. A Safety and Security Certification Program (SSCP) has been developed for the BART Extension to ensure that it is designed in compliance with the BART Facilities Standards Design Criteria and applicable safety and security design codes. The SSCP requires that compliance be documented and applicable project features and design characteristics itemized. Because the Single-Bore Option tunnel and stations are deeper than the Twin-Bore

Option, more extensive measures will be required to ensure compliance with applicable codes and standards.

BART Facilities Standards Design Criteria address the train control system, operating procedures, training of operating and maintenance personnel, and emergency responses. Fire sprinklers, stand pipes, smoke detectors, and alarm systems would be placed throughout the new stations in accordance with fire department jurisdiction requirements, standards set forth by the National Fire Protection Association, California Building and Fire Codes, and BART criteria. BART would coordinate and train its emergency response personnel with fire departments in San Jose and Santa Clara to assure response readiness in the event of an emergency. The provisions of BART's existing System Safety Program Plan require active participation by the BART System Safety Department in the design of system extensions. VTA, working with a BART safety engineer and local fire department personnel, would review contract drawings and specifications for compliance with the previously mentioned codes and criteria. This process is particularly critical for the tunnel segment emergency ventilation structures and emergency egress and ingress. Established emergency station and tunnel egress criteria would be applied to the BART Extension. The System Safety Department would also monitor engineering testing and conduct safety technical audits of all new facilities and equipment to ensure that they meet applicable safety standards prior to passenger operation and that they continue to meet these standards while in operation.

As a part of the design review process, VTA and BART safety engineers would review the security fencing design along the at-grade alignment train storage areas, and transitions from subways to at-grade alignments. Similarly, VTA and BART safety engineers would review the design of station entrances, exits, platforms, and concourse areas for pedestrian safety. The design of parking lots and loading zones would also be reviewed for pedestrian and vehicular safety and for accessibility by emergency response vehicles. For security purposes, BART Facilities Standards Design Criteria would be implemented as applicable for the BART Extension, including closed-circuit television (CCTV) in stations and along the trackway (at tunnel portals), and access control devices.

In accordance with CPUC General Order 164-D and the BART System Safety Program Plan, VTA would certify the safety and security of the BART Extension to ensure that the design, construction, and installation of equipment are systematically reviewed for compliance with safety and security requirements and BART will validate safety operational readiness of the system prior to the commencement of revenue service.

Given the above, the BART Extension would have *no adverse effect* on security and system safety, and no mitigation measures are required.

## 4.13.5 NEPA Conclusion

The impact on public safety from the BART Extension Alternative would be *no adverse effect*, and no mitigation measures are required.