



January 13, 2023

Via Email: ZelmerC@metro.net, laart@metro.net

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Los Angeles County Metropolitan Transportation Authority

One Gateway Plaza

Mail Stop 99-22-6

Los Angeles, CA 90012

RE: Los Angeles Aerial Rapid Transit Project (LA ART)

SCH 2020100007

Draft EIR - Comments

Dear Mr. Zelmer:

Below are comments for the Los Angeles Aerial Rapid Transit Project DEIR.

Arts District Community Council LA (ADCCLA) is a 501c3 nonprofit focused on creating and preserving public green space. We further address government infrastructure and sustainability decisions that could negatively impact the Arts District Community.

ADCCLA became aware of the Project in 2018. In reviewing the scant material provided by LA ART, ADCCLA engaged its board and community members in researching the impacts of the Project.

Description

LA ART intends to build a private aerial tramway on behalf of Frank McCourt to go 1.2 miles from Union Station to near the gold line stop and then over the **LA State Historic** Park and residential communities to Dodger Stadium. The Project has been billed as a sustainable project that will take 3,000 cars off the road. It purports to be a “privately” funded project created to move people to a single private for-profit enterprise and is being billed as a PUBLIC transportation project. Various non-committal mitigations have been offered in the future that continue to be moving targets for stakeholders to try and unwind.

Comments:

1. The entirety of the NOP and DEIR is a farce.

- a. The purpose of CEQA is to lay out in detail all aspects of the Project in order for the public and the communities impacted to have a clear and complete understanding of the Project.

- b. To date, the Project has been driven by non-disclosure agreements (NDA) signed by both Metro (the agency overseeing the Project?) and State Parks. The NDA's gave and has continued to give LA ART and Metro cover to hide the full intent and scope of the Project.
- c. Early "public meetings" and requests for support by LA ART were based only on PR comments that have consistently been debunked, along with a host of confused and moving "options" for "mitigation."
- d. LA ART's claims of extensive outreach were also debunked, when only 40 people were allowed into those same meetings, and no one was allowed to ask questions except in the chat, most of which went ignored.
- e. LA ART failed to provide reasonable alternatives to the Project. Only two alternatives were produced and discussed with the public. When the community screamed the loudest over one alternative, it was removed, leaving only one flawed alternative to be publically discussed.
- f. The entirety of the DEIR claims zero environmental impacts on the community and state park. That means:
 - (1) No noise
 - (2) No vibrations
 - (3) No construction impacts
 - (4) No visual blight
 - (5) No impact on traffic
 - (6) No impact on parking
 - (7) No impact on residential stakeholders
 - (8) No impact...anywhere. None, nothing.
- g. Visual elements have been egregiously misrepresented in the DEIR, including the park viewshed. Perspective drawings appear to be deliberately skewed. Heights and distances are increased and stretched to create a "nice view." Even the incorrect number of cables has been used to skew and reduce the visual blight the Project would bring.

2. Metro is the wrong agency for this Project

As will be opined on by legal experts, Metro is the wrong agency to take the lead on this Project. While it's convenient to place this Project with an agency that has little accountability, it is not a governing agency, meaning that the lead agency must have the governing capacity and natural decision-making powers. Metro has no jurisdictional authority to be the lead.

3. The Project has been improperly placed on Federal funding bundle lists

This would imply that this Project is a done deal which many of us have been told repeatedly by staff members in the former Mayor's Office. This suggests backroom discussions and agreements, pushed through at an all-cost mentality.

4. LA ART relies on Vague, Unenforceable, or Deferred Mitigation Measures.

The PR voice of Mitigation has not been taken seriously in this DEIR as the document fails to lay out in detail, nor does it incorporate any of the mitigations publicly spoken about into the overall design of the Project.

5. Metro awarded a sole source contract to an unqualified, untested entity.

Frank McCourt, nor LA ART, nor Climate Resolve, nor any other entity formed around the same people are qualified to engineer or construct a private gondola, let alone one claiming to be public transit.

6. The "privately funded" Project appears to no longer be "privately funded"

Since efforts to add the Gondola to a federal transportation improvement bundle and improperly pass ownership to another entity that is untested and unqualified again change the playing field.

The right for communities not to be assaulted by backroom deals should override tainted officials.

7. This Project is an assault on communities of color.

The sordid history of the Dodgers and Chavez Ravine in addition to the aberrant treatment of Chinese migrants, seems to have alluded LA ART and McCourt. The idea of “we know what’s best for you” is tone-deaf, to say the least.

8. Politics are winning over what is best for our communities

At a recent metro Meeting, former Mayor Garcetti likened his colleague representing the impacted community to Mitch McConnell’s treatment of SCOTUS because she was doing what her constituents asked her to do. These kinds of comments speak to backroom deals (NDAs), corruption, and an astounding lack of sound judgment.

9. Over 75 mature-growth trees ranging between 15 and 50’ are slated to be removed

to accommodate thousands of pounds of concrete

30 / 30 California Initiative (CA climate change report) is being entirely ignored by LA ART, Climate Resolve, the City, and Metro.

30 / 30 calls for the preservation/conservation of ALL HABITAT in red zones. Los Angeles County is officially a red zone.

10. Gondolas are not, in any way, shape, or form, new technology.

New for LA is not new and innovative to anyone but LA ART.

11. This Gondola is NOT public transportation.

This is a private project, benefitting a private entity. Period. Public Transportation moves people to and from more than one environment. A stop at the Chinatown station is duplicative and is not needed. Additionally, the Dodger express represents non-invasive buses (soon to be fully electric) already routed and funded.

12. LA LART continues to offer no evidence that communities will benefit from increased foot traffic in their neighborhoods.

Indeed, the reverse seems to be true in that the hike to reach Broadway would be unreasonable and time prohibitive in both directions.

13. Climate Resolve is not included in the DEIR as the managing/contracting entity.

Despite press releases and conferences, Climate Resolve, the latest entity to have become embroiled in this sham of a Project, is actually not included in the DEIR as there is no agreement in place, making the claims appear to be more about taking the heat off of McCourt and moving it to yet another unqualified entity. The legality of doing this midstream CEQA is also questionable at best.

14. Digging into severely toxic soil

While significant remediation was done in the park to make sure that it was safe for all, deeper levels of soil, both at the park and surrounding areas, have a long, dark history of toxic and deadly soil contamination. No study was presented or addressed that would show that the public would be safe stirring up and unearthing severely toxic soil.

15. Project Alternatives

Both the no-project alternative and the Dodger Express were left out of all public communication of available alternatives offered during all aspects of the process. The existing Dodger Express has been consistently cited as the preferred method of transport by community stakeholders.

The infrastructure already exists, and the Dodger Express team has committed to electrifying all the buses as a response to climate change. This alternative is preferred by our community and stakeholders at large as it does not pour thousands of pounds of concrete into an already stressed community and **DOES NOT REMOVE ANY EXISTING HABITAT.**

Conclusion

It is our observation and assumption that this Project is yet another lousy idea being rammed down the throats of our communities to satisfy a check box for the Olympics. The Olympics has traditionally created unwarranted hardships on communities, and this Project is no exception.

The manner in which electeds and Metro have conducted this process is utterly shameful and displays a flagrant disregard for the residents and communities being impacted, not to mention the law. Simply reframing the argument to make it look awesome doesn't change the fact that the premise is based on a lie with a complete and appalling disregard for CEQA and the law in general.

We ask that this Project be summarily "wished back into the cornfields." As of this letter **3,501 signatures have been collected from the surrounding neighborhoods** vehemently opposing this Gondola.

It is not wanted. It is not needed. It will exacerbate the climate crisis within LA City by pouring thousands of pounds of concrete into a community already registering at a 2% or lower tree canopy.

This Project is riddled with violations of process, violation of the law, willful disregard of the public's right to know, and a willful disregard for communities of color.

This Project should be immediately terminated, and Mr. McCourt be told, "thanks, but no thanks."

Sincerely,



Todd Terrazas
President

Cc: Supervisor Hilda Solis
Mayor Karen Bass
Congressmember Jimmy Gomez
Assembly Member Miguel Santiago