

**Appendix C.4**  
**Public Comments (P/PH)**  
**P650-P751**

Comments on the Los Angeles Aerial Rapid Transit Project Draft EIR

Comentarios sobre el reporte del EIR del Proyecto de Tránsito Rápido Aéreo de Los Ángeles

洛杉磯空中快速交通項目草案 EIR 的評論

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JAN 17 2023

Comments | Comentarios | 意見

I support the gondola I believe its going to be a quick transportation to get to one place to another.

P650-1

Contact Information | Información del contacto | 聯繫方式

Name | Nombre | 姓名 Raymond Noriega

Date | Fecha | 日期 01/12/23

Organization | Organización | 公司名稱

Email | Correo electrónico | 電子郵件

Address | Dirección | 地址

City | Ciudad | 城市 Los Angeles

State | Estado | 州 Ca Zip | Código postal | 郵政編碼 90022

Comments on the Los Angeles Aerial Rapid Transit Project Draft EIR

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I support the gondola because my family and I won't need to take our cars and worried about parking when going to the dodgers games.

Contact Information | Información del contacto | 聯繫方式

Name | Nombre | 姓名 Leticia Reynoso

Date | Fecha | 日期 01/10/23

Organization | Organización | 公司名稱

Email | Correo electrónico | 電子郵件

Address | Dirección | 地址

City | Ciudad | 城市 Los Angeles

State | Estado | 州 ca Zip | Código postal | 郵政編碼 90028

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Doing this doesn't only help fans but also it's  
would reduce traffic around the dodger  
stadium combining a train ticket with a  
flying along leaving more space for employees  
to park inside the stadium.

P652-1

Contact Information | Información del contacto | 聯繫方式

Name | Nombre | 姓名 Leslie Reynoso

Date | Fecha | 日期 01/16/23

Organization | Organización | 公司名稱 \_\_\_\_\_

Email | Correo electrónico | 電子郵件 \_\_\_\_\_

Address | Dirección | 地址 \_\_\_\_\_

City | Ciudad | 城市 Los Angeles

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洛杉磯空中快速交通項目草案 EIR 的評論

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JAN 17 202

Comments | Comentarios | 意見

Great idea and fancy transportation  
it helps ~~to~~ with air pollution.

P653-1

Contact Information | Información del contacto | 聯繫方式

Name | Nombre | 姓名 Silvano. Reynoso

Date | Fecha | 日期 01/16/23

Organization | Organización | 公司名稱 \_\_\_\_\_

Email | Correo electrónico | 電子郵件 \_\_\_\_\_

Address | Dirección | 地址 

City | Ciudad | 城市 Los Angeles

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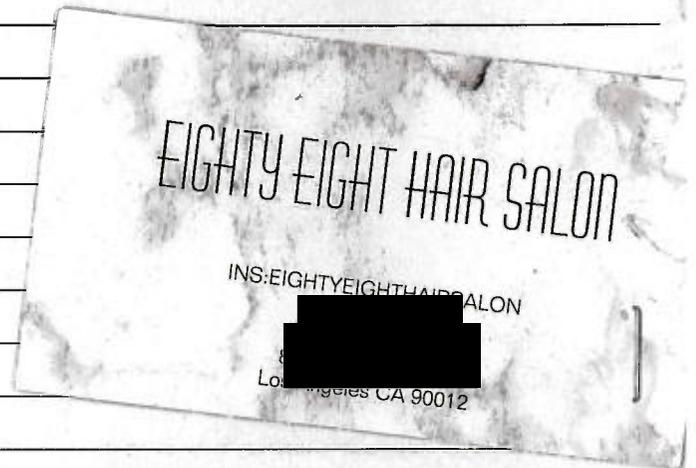
JAN 17 2023

P654-1

Comments | Comentarios | 意見

支持

SUPPORT Gondola



Contact Information | Información del contacto | 聯繫方式

Name | Nombre | 姓名 Zhang

Date | Fecha | 日期 \_\_\_\_\_

Organization | Organización | 公司名稱 Eighty Eight Hair Salon

Email | Correo electrónico | 電子郵件 \_\_\_\_\_

Address | Dirección | 地址 [Redacted]

City | Ciudad | 城市 Los Angeles

State | Estado | 州 \_\_\_\_\_ Zip | Código postal | 郵政編碼 \_\_\_\_\_

Comments on the Los Angeles Aerial Rapid Transit Project Draft EIR

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Comments | Comentarios | 意見

SUPPORT Gondola

P655-1



Contact Information | Información del contacto | 聯繫方式

Name | Nombre | 姓名 Zhang

Date | Fecha | 日期 \_\_\_\_\_

Organization | Organización | 公司名稱 Tian's Dimsum

Email | Correo electrónico | 電子郵件 \_\_\_\_\_

Address | Dirección | 地址 \_\_\_\_\_

City | Ciudad | 城市 \_\_\_\_\_

State | Estado | 州 \_\_\_\_\_ Zip | Código postal | 郵政編碼 \_\_\_\_\_

Comments on the Los Angeles Aerial Rapid Transit Project Draft EIR

Comentarios sobre el reporte del EIR del Proyecto de Tránsito Rápido Aéreo de Los Ángeles  
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RECEIVED

JAN 17 2023

Comments | Comentarios | 意見

Support! Gondola

P656-1

Contact Information | Información del contacto | 聯繫方式

Name | Nombre | 姓名 Chris Bamy

Date | Fecha | 日期 1/15/22

Organization | Organización | 公司名稱

Email | Correo electrónico | 電子郵件

Address | Dirección | 地址

City | Ciudad | 城市 Marina del Rey

State | Estado | 州 CA

Zip | Código postal | 郵政編碼 90292

Comments on the Los Angeles Aerial Rapid Transit Project Draft EIR

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洛杉磯空中快速交通項目草案 EIR 的評論

Comments | Comentarios | 意見

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JAN 17 2023

P657-1

I Support GONDOLA.

Contact Information | Información del contacto | 聯繫方式

Name | Nombre | 姓名 Ken Wong

Date | Fecha | 日期

Organization | Organización | 公司名稱 CHINA ARTS & GIFTS CO.

Email | Correo electrónico | 電子郵件

Address | Dirección | 地址

City | Ciudad | 城市 L.A

State | Estado | 州 CA 90019 Zip | Código postal | 郵政編碼

**From:** Amanda Cotylo <info@email.actionnetwork.org>

**Sent:** 01/17/2023, 3:45 PM

**To:** [LAART@metro.net](mailto:LAART@metro.net)

**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

I am writing to voice my opposition to the Los Angeles Aerial Rapid Transit Project ("The Gondola" at Dodger Stadium).

I live very close to Chinatown (and used to live on Chung King Rd) and this seems like a vanity project, an eyesore, and we have no idea about the impact on the environment as well as the residents. I honestly thought it was a joke when I first heard about it, as in "what is the dumbest thing you can conceive that rich people want to do to help ruin Los Angeles" oh I know! Big GONDOLAS over an already over saturated and gentrified area of our city!

Just, NO. STUPID IDEA. Whoever thought this end can go kick rocks. Thx

Amanda Cotylo

[REDACTED]

[REDACTED]

Los Angeles, California 90023

P658-1

P658-2

**From:** Eddie Barranza [REDACTED]  
**Sent:** 01/17/2023, 3:52 PM  
**To:** [LAART@metro.net](mailto:LAART@metro.net)  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

I am writing to voice my opposition to the Los Angeles Aerial Rapid Transit Project ("The Gondola" at Dodger Stadium).

P659-1

Metro went forward with this project without an open public process and without competitive bidding. I don't understand the ownership or operation of the project because the details have been hidden from the community. Who is paying for this project? Will taxpayers be left holding the bag?

P659-2

Lack of community consultation: The community has been neglected and our voices have not been heard. No one asked us our vision for our community.

P659-3

We never asked for this project. We don't need or want this project.

Eddie Barranza  
[REDACTED]  
[REDACTED]  
Los Angeles, California 90026

**From:** Brandon Gibbons [REDACTED]  
**Sent:** 01/17/2023, 3:49 PM  
**To:** [LAART@metro.net](mailto:LAART@metro.net)  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

Hello,

My name is Brandon and I was born and raised and longtime resident in Cypress Park. I work at the Eagle Rock Branch Library where you all tried to put your LA Art brochures on our bulletin board. At first, I thought nothing about this. I thought it was a whole new layer to the metro system, that it would be air trains like they have in San Francisco at the SFO and OAK airports. BART is something everyone loves and we should have a Metro like that here in LA. When I found out it was just to only go to see the Dodgers, I thought no way.

P660-1

I think LA Metro should focus on the transit problems we already have. How come there aren't more train lines to each neighborhood in LA? How come it says gondola transit is popular in other cities when literally I've never heard of these things before besides when people go skiing? I think if you have money for this, you have money for our trains and buses.

P660-2

It's not right that there's only some days the Metro has free fare days. And when people find out about it, it's on social media. That stuff makes a huge difference when you make hourly like me doing something you love because you want to be in the community. If the LA ART which isn't even Rapid Transit because gondolas are slow and this one only goes to one spot, if there's money for something like this, you should use it to benefit everybody and let there be more free fare days.

P660-3

Change your plans and build something else. I know Metro wants to actually help people get to where they need to go. This one is not the way to do it.

P660-4

Best,  
Brandon Gibbons

Brandon Gibbons  
[REDACTED]  
[REDACTED]  
Los Angeles, California 90065

**From:** Danny Orellana [REDACTED]  
**Sent:** 01/17/2023, 3:51 PM  
**To:** [LAART@metro.net](mailto:LAART@metro.net)  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

I am writing to voice my opposition to the Los Angeles Aerial Rapid Transit Project ("The Gondola" at Dodger Stadium). As a frequent visitor of the LA Historic Park, this will be a terrible addition to the space.

| P661-1

Danny Orellana  
[REDACTED]  
[REDACTED]  
Los Angeles, California 90012

From: Lisa Duardo, [REDACTED] Los Angeles, CA 90031, [REDACTED]

To: Mr. Cory Zelmer, Deputy Executive Officer, LA County MTA, One Gateway Plaza Mall Stop

MS:99-22-6, L.A., CA. 90012, [LAART@metro.net](mailto:LAART@metro.net), [REDACTED]

January 17, 2023, sent via email [LAART@metro.net](mailto:LAART@metro.net) before 3PM

Re: Draft EIR- LAART – State Clearinghouse No. 2020100007

The purpose of this document is to advocate for the NO PROJECT CEQA ALTERNATIVE.

P662-1

I am born and raised in the Metro Downtown area. I travel the Historic Arroyo Seco Pkwy, North Broadway, Spring, Alameda and Main Streets most of my life enjoying the open space vistas of the San Gabriel Mtns., the Repetto Hills, Santa Monica Mtns (of which Elysian Park is considered part of and a National Parks Service, Rim of the Valley Corridor) and the beautiful skyline of Downtown LA. And I strongly believe that this proposed project would despoil these vistas forever. It is a significant unavoidable adverse impact. And the Draft EIR simply states, "scenic vistas taken under consideration" dismissing or omitting the validity and value of said vistas.

P662-2

But I get ahead of myself. As it is the purpose for this proposed project that I take issue with.

ES.2 Project Purpose- Improve mobility and accessibility for the region by providing a daily, high capacity, ariel rapid transit from Los Angeles Union Station to the Dodgers Stadium...

The reality is the proposed project is specifically tailored for game days. This use of public land, airspace (what about private property airspace?) and funds for a private venture is stomach-churning. The Daily News recently reported on studies suggesting the opposite of this Draft EIR statement of improved mobility and accessibility.

P662-3

The region could use real transportation solutions for better mobility and accessibility that would improve daily life for a larger population and area than this costly and ineffective proposed project.

I would like to add my comments to the on-going administrative record.

Having read and looked over the roughly 1100 pages of this Draft EIR over this MLK weekend because this project fell out of mind during the Covid Pandemic where many stakeholders like me were focused on our lives and livelihood and also may not of had access to digital meetings. This Draft EIR, I feel, is biased toward expenditure and construction of the proposed project regardless of the significant impacts with or without mitigation. Below are some of the concerns I have that I feel were not addressed in the Draft EIR or not addressed to a sufficient level of analysis for intelligent decision making. This list is not complete nor listed in numerical order as to importance:

P662-4

1. Neighborhood directly negatively effected by LA ART project , Olvera Street, Chinatown, California State Park, William Holmes Public Housing and Preschool, Ann Street Elementary, Cathedral High, Lincoln Heights, Solano Cyn., Elysian Park, Echo Park, Elysian Valley, Downey Park, Albion Park along with the major transportation roadway corridors of North Broadway, Spring, Alameda and Main streets and possibly parts of the Historic Arroyo Seco Pkwy (Hwy110). Greatest negative impact is during construction over two to five years of six to seven days, morning to evening construction.
2. LA ART states zero emissions. Omitted are the tables detailing particulates and emissions from construction over two to five years, six to seven days a week from morning till evening. What is the number of construction trucks and heavy machinery necessary to drill, excavate, deliver and haul material and supplies during construction period? How is this then mitigated to a level safe for the surrounding neighborhoods or which a majority is elderly and young families.

P662-5

P662-6

3. Negative Impact through construction roadway closures creating gridlock with vehicles emitting toxic fumes with possible added pedestrian and auto accidents by frustrated drivers. P662-7
4. Goldline offers the same mobility and accessibility from Union Station to Chinatown and California State Park currently. So the LA ART is only offering the Dodgers Stadium. P662-8
5. LA ART ticketing and Hub stations are only accessible via a prepaid access ticket purchased on-line. This exclude a large non-digital local population. P662-9
6. Construction staging areas are not listed nor accounted for in the impact reports. These areas will add to the cumulative negative impacts for neighborhoods and other stakeholders and commuter through the large construction area throughout the two to five years of construction. P662-10
7. Proposed construction schedule lists approximately 2+ years per Hub (3) and Tower (3) with the hope that some sites can run concurrently. Regular construction days – Monday – Friday 6AM-9PM, Saturdays and Holidays 8AM-6PM and Sundays when necessary. This is a unavoidable significant adverse impact to all living people and wildlife in the area. P662-11
8. The majority of agencies, organizations public or private commented via a boiler plate response to adhere to laws and regulations or requesting further updates us up to dates P662-12
9. 10- omits the real unavoidable adverse cumulative impact of Noise, dirt, particulate matter, vibrations, light pollution , despoiling of viewshed , increase gridlock, risk of accidents during construction and operation of LA ART. P662-13
10. LA ART will not eliminate the operation of the Dodgers Stadium Express buses that offer free transportation on game days from Union Station to Dodgers Stadium. P662-14
11. There is no benefit to the residents, businesses or visitors to this area, Chinatown, Olvera Street, California State Park, Elysian Park that is worth the financial, environmental and quality of life cost this project proposes. P662-15
12. ES-13/AES-1, -2,-3,-4, The Draft EIR disregards or downplays the significant negative impact to the despoiling of iconic Los Angeles vistas/viewsheds of the Downtown City Skyline, the hillsides of National Parks Service Rim of the Valley Corridor including the San Gabriel Mtns. The 150' plus Hub Stations and Towers with massive gondola cables will cut right through the open space and despoil vistas and sky views. No mitigation possible. P662-16
13. AIR-3, The Project area includes within ¼ mile California State Park where families and seniors recreate, Elysian Park, Downey Park, Albion Park, established housing both private and public (Blossom Plaza, William Holmes Public Housing, Catholic High School, Temples, and Churches, Elementary and Preschools, the residential neighborhoods of Chinatown, Solano Canyon, Elysian Valley, Lincoln Heights, Arts District but any impact is deemed insignificant and so no mitigation is offered. P662-17
14. AIR-4, Population directly effected may not have been informed of the health dangers of GHG, large and nano dust or particulate matter produced during the two to five years of construction . Project does not offer any mitigation to this issue. P662-18
15. CUL-1, areas effected but downplayed are Elysian Park, California State Park and Historic Arroyo Pkwy. The parks are used for many cultural events and ceremonies where open sky and open space is valued and enriches the cultural purposes. P662-19
16. GHG-1 , Again, the number of construction vehicles and machinery over five years, 7 days a week will make a negative adverse impact. No mitigation is offered. P662-20
17. NV-1, No mitigation offered for Noise during the construction and operation. It is assured that that construction and operation will create noise and some of it will be negative. P662-21
18. NV-2, Draft EIR validates unavoidable during four plus years of construction, seven days a week, morning to night. The suggested mitigation offered is to install monitoring devices with no other mitigation to alleviate impact. P662-22

19. POP-2, Housing, studies prove that this type of attraction will increase pressure on the existing housed population of renters and property owners by increasing rental prices and seeding property sales at higher rates making housing area unaffordable for existing elder and working class families. P662-23
20. PR-1, despoils both California State Park and Elysian Park. No mitigation offered. P662-24
21. PR-2, Negative impact by construction and operation to direct and adjacent areas to California State Park, El Pueblo, Union Station, Pocket Park on Alameda & Main. P662-25
22. PR-3, Construction and operations travel directly overhead by 100 feet or more to the Goldline, Alameda, College, Broadway and the Historic Arroyo Pkwy (110 Fwy). No mitigation offered. P662-26
23. TRA-4, Broadway, Spring, Alameda, Main Streets and 110 Fwy are all major emergency corridors for the area. No substantial mitigation offered. P662-27
24. TCR-1, California State Park programs & provides space for Native and cultural events that honor natural environments and open space (land and sky). LA ART would despoil this open atmosphere forever. P662-28
25. TCR-2, Same as TCR-1. P662-29
26. WFR-1, The project offers zero plan for rescuing human life when a gondola/ cable accident occurs whether it is a gondola falling or a stalled or unresponsive machinery operating gondola. P662-30
27. WFR-5, Gondola will trave above homes, apartments, businesses, parks and open spaces, roadways and a historic highway. P662-31
28. 3.1.2.3, Scenic Resourses, Historic Arroyo Pkwy is listed in many digital and printed maps as a scenic highway from Downtown to Pasadena. P662-32
29. 3.1.2.4, Example of Light and Glare already exist in LA ART area is not a valid reason for the use of No Impact/ Insignificant. There is cumulative Light and Glare Impact to address and/or mitigate. P662-33
30. 3.1.6 Existing view South Entrance to California State Park will have an extensive negative impact and change forever the visual elements to the park and surrounding environment. This area consists of a Chinatown Hub , a Park Tower and heavy cables with gondolas. P662-34
31. Hubs and Towers will shade and block sunshine to residents, businesses , street populations, visitors to State Park and it is downplayed with no mitigation suggested. P662-35
32. Again, Air Rights to the public right of way , businesses, and residents, LA ART has not addressed leasing or mitigation for the use of the rights to keep airspace open and safe from possible harm to persons or property. P662-36

Thank you for admitting my document letter with my comments to the LA ART Draft EIR

Signed here with my typed name and todays date and time, P662-37

Lisa Duardo, January 17, 2023 3:47PM in Los Angeles.

**From:** Fa Li Xiao [REDACTED]  
**Sent:** 01/17/2023, 3:59 PM  
**To:** [LAART@metro.net](mailto:LAART@metro.net)  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

Please do not build this gondola in our neighborhood. It will only bring more traffic to Chinatown, not less. It's supposed to make it easier to go to see Dodgers Stadium. But I do not see that. I see more people will come to take the gondola, leave their trash like they always do when there is a baseball game, and then leave. The Dodgers already does not bring more business to Chinatown, where all our business are dying. I do not see how this gondola will make it any different. It's like you planned it without knowing the neighborhood at all. When Dodgers games happens, people park everywhere, people cannot drive, people cannot cross the street, people are very loud with their music and parties, and then they drink and leave trash everywhere. They do this when there is concerts at the big park on broadway too. If you make the gondola, it will just be more of the same thing. You have to listen to us, the people who live here. Please do not build this gondola in our neighborhood. I t will be very bad and you will regret it and then you will waste money to take it down.

P663-1  
P663-2  
P663-3  
P663-4  
P663-5

Fa Li Xiao  
[REDACTED]  
[REDACTED]  
Los Angeles, California 90012

**From:** Kikei Wong <info@email.actionnetwork.org>  
**Sent:** 01/17/2023, 3:56 PM  
**To:** [LAART@metro.net](mailto:LAART@metro.net)  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

I am writing to voice my opposition to the Los Angeles Aerial Rapid Transit Project ("The Gondola" at Dodger Stadium).

As a daughter of immigrants who frequents Chinatown for necessities and community, I will be impacted by this project. I am concerned about this project for the following reasons:

**Built Environment:**

The Gondola Project’s enormous towers will cause aesthetic impacts in my community. I am concerned that the towers will obstruct views, and that the gondola cars will be used for advertising and electronic billboards.

**Traffic:**

The Gondola Project’s displacement of traffic onto the surrounding neighborhoods will worsen air quality impacts from tailpipe emissions in an already overburdened community. The Gondola Project’s will increase traffic around Chinatown and Union Station. This project is designed to displace traffic from Dodger Stadium and push it onto the surrounding communities. The existing traffic conditions are already difficult because of [explain traffic hazards, conditions, etc.] and this project will make it worse.

**Historic and Cultural Resources:**

The Gondola Project will impact historic and cultural resources such as the Los Angeles State Historic Park, historic Union Station, and the Pueblo de Los Angeles Historic Monument.

**Environmental Justice:**

This project will increase the impacts of air pollution from vehicle emissions in an area already overburdened by air emissions.

**Gentrification:**

This project will lead to displacement and increase the cost of rent in the area.

**Future development:**

This project will lead to future commercial development in Chavez Ravine, without community input and without disclosure to the community.

**Lack of transparency:**

Metro went forward with this project without an open public process and without competitive bidding. I don’t understand the ownership or operation of the project because the details have been hidden from the community. Who is paying for this project? Will taxpayers be left holding the bag?

Lack of community consultation: The community has been neglected and our voices have not been heard. No one asked us our vision for our community.

P664-1

P664-2

P664-3

P664-4

P664-5

P664-6

P664-7

P664-8

P664-9

We never asked for this project. We don't need or want this project.

P664-10

Kikei Wong

[REDACTED]

[REDACTED]

Torrance, California 90502

**From:** [REDACTED]  
**Sent:** 1/18/2023 12:01:31 AM  
**To:** <laart@metro.net>  
**Subject:** Gondola

Cory Zelmer:

I'm sending you this email to let you know I am opposed to the creation of a gondola as public transportation.

It will be a terrible thing for those who have lived in the neighborhoods it will fly over, eliminating their privacy.

It also seems rather ridiculous as a means of transportation to help a very few. LA Metro needs to rethink its bus system to and from the stadium.

Get a fleet of electric busses for the environment, make a dedicated lane in and out of the stadium for the busses, even if you have to remove parking on Sunset for game days.

If McCourt really thinks the gondola is the way to access his private property, and build retail, entertainment and housing on his parking lots, he needs to use his own money to build the gondola, and he needs to lease the airspace from the citizens that will be effected.

I am a Dodger fan and I attend 25 plus games a season, I drive from the San Fernando Valley, and have also used the bus from Union Station on a very few occasions.

Maybe a better idea is for Mc Court to sell all the parking lot land to LA City, and let us as citizens profit from the revenue, and look at better options for getting to and from the stadium.

Rodney Scholtes

[REDACTED]

Van Nuys, CA 91406

[REDACTED]

P665-1  
P665-2  
P665-3  
P665-4  
P665-5  
P665-6  
P665-7

**From:** [REDACTED]  
**Sent:** 1/18/2023 12:03:19 AM  
**To:** "LAART@metro.net" <LAART@metro.net>  
**Subject:** Public Comment re Draft Enviromental Impact Report re Los Angeles Aerial Rapid Transit Project

I am a longtime civil rights and community advocate. I am a volunteer in L.A. Chinatown and actively involved in various community and professional organizations.

P666-1

After reviewing the Draft Environmental Impact Report (Draft EIR) regarding the proposed Los Angeles Aerial Rapid Transit Project, it seems that Los Angeles County Metropolitan Transportation Authority (Metro) is going to great lengths to support and condone the proposed aerial gondola system project connecting Union Station and the Dodger Stadium property by the private entity, Los Angeles Aerial Rapid Transit Technologies LLC, which apparently is subject to change. Such project will seriously harm and have significant, permanent and irreversible adverse effects on the residents, small businesses, and others, as well as the environment, aesthetics, preservation, and sustainability of the surrounding communities, such as Chinatown, Mission Junction, Elysian Park, Solano Canyon, and the Los Angeles State Historic Park. Just because there are aerial transit systems in the few cities and countries referred to in the Draft EIR, does not justify the construction and operation of an unnecessary, extremely costly, and unwelcomed aerial transit system in the proposed areas of Los Angeles.

P666-2

P666-3

P666-4

It is clearly wrong to allow a private entity to permanently take-over public air space and various public and privately-owned properties to negatively gentrify these urban areas by creating a visually and physically objectionable nuisance mainly for profit in order to cater to a few. Such proposed project will establish an extremely bad precedent if this public entity and potentially other public entities are allowed to acquire extensive public air space and public properties for private gain and in order to exploit and harm minority and low-income neighborhoods. This proposed project does not and should not qualify as "the first environmental leadership transit project under Senate Bill 44."

P666-5

P666-6

In addition, such proposed project will not significantly diminish traffic, air and noise pollution or ensure public safety on a short-term or long-term basis. In fact, the opposite probably will occur with the construction of such proposed project and changing of the areas with access to the aerial gondola into a huge parking lot primarily for the proposed project's benefit, while creating and causing significant and serious traffic, air and noise pollution, public safety concerns, and other adverse impacts.

P666-7

This proposed project is a substantial waste of taxpayers' money and natural resources, and fails to sufficiently and permanently protect the environment, as well as the residents, small businesses and others in the communities that are adversely affected. These communities do not need an amusement park ride, like this proposed aerial gondola, but more appropriate, safe and affordable public transportation, low-cost housing, and culturally-sensitive and necessary community businesses and services, for the people.

P666-8

The findings in the Draft EIR pursuant to the evaluation of the potential environmental effects associated with the construction and operation of this proposed project as having "no impact," "less than significant impact with mitigation" or "less than significant" impact, are inaccurate, unsubstantiated or unreasonable and unfair. This proposed project should be denied due to its potentially significant, substantial and irreversible adverse environmental effects.

P666-9

Diane M. L. Tan

**From:** Samantha Mohammad [REDACTED]  
**Sent:** 01/17/2023, 4:08 PM  
**To:** [LAART@metro.net](mailto:LAART@metro.net)  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

I am writing to voice my opposition to the Los Angeles Aerial Rapid Transit Project ("The Gondola" at Dodger Stadium).

P667-1

As a resident of Los Angeles County and as a physician I believe the greater LA community will be impacted by this project. I am concerned about this project for the following reasons:

P667-2

**Gentrification:**

This project will lead to displacement and increase the cost of rent in the area. This is will greatly affect the surrounding areas that currently house many low income residents. By using resources to create this gondola you are actively saying you care more about the Olympics than caring for our unhoused neighbors as this money could be funneled into affordable housing instead.

P667-3

**Environmental Justice:**

This project will increase the impacts of air pollution from vehicle emissions in an area already overburdened by air emissions. They will also displace traffic onto already underserved areas with poor resources worsening air quality.

P667-4

**Traffic:**

The Gondola Project's displacement of traffic onto the surrounding neighborhoods will worsen air quality impacts from tailpipe emissions in an already overburdened community. The Gondola Project's will increase traffic around Chinatown and Union Station. This project is designed to displace traffic from Dodger Stadium and push it onto the surrounding communities. The existing traffic conditions are already difficult because of [explain traffic hazards, conditions, etc.] and this project will make it worse.

P667-5

**Historic and Cultural Resources:**

The Gondola Project will impact historic and cultural resources such as the Los Angeles State Historic Park, historic Union Station, and the Pueblo de Los Angeles Historic Monument.

P667-6

**Future development:**

This project will lead to future commercial development in Chavez Ravine, without community input and without disclosure to the community.

P667-7

**Lack of transparency:**

Metro went forward with this project without an open public process and without competitive bidding. I don't understand the ownership or operation of the project because the details have been hidden from the community. Who is paying for this project? Will taxpayers be left holding the bag?

P667-8

**Lack of community consultation:** The community has been neglected and our voices have not been heard. No one asked us our vision for our community.

P667-9

We never asked for this project. We don't need or want this project.

P667-10

Samantha Mohammad

[REDACTED]

[REDACTED]

Culver City, California 90232

**From:** Brandy Jimenez [REDACTED]  
**Sent:** 01/17/2023, 4:43 PM  
**To:** [LAART@metro.net](mailto:LAART@metro.net)  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

Hello,

My name is Brandy and I was born and raised in Lincoln Heights. I am writing to voice my opposition to the Los Angeles Aerial Rapid Transit Project ("The Gondola" at Dodger Stadium).

P668-1

The Gondola Project’s towers will ruin our views, and the gondola cars will be used for advertising and electronic billboards that we do not want in our skyline. You would not build this kind of thing in Beverly Hills or Santa Monica. But you would do it here where working class Asian and Latino families are fighting for their lives.

P668-2

It will also displace traffic from the Stadium area to the Chinatown, Dogtown, Downtown, and Lincoln Heights areas. Our neighborhoods will receive worse air quality impacts from tailpipe emissions in our already overburdened communities. This is wrong and your oversight on this shows how greedy you are in wanting to build this gondola at the expense of the people's health.

P668-3

The gondola will also ruin impact historic, cultural, and communal resources such as the Los Angeles State Historic Park, historic Union Station, and the Pueblo de Los Angeles Historic Monument and Olvera Street. It is wrong that you've gone through our Olvera Street and Lincoln Heights businesses to make workers sign support letters without educating them on the impacts of the project. How can you do that to people? That says everything about the project, that you would lie to everybody and ruin the historic character of LA to build this vanity project.

P668-4

Not only that but the gondola will lead to displacement and increase the cost of rent in the area. It will lead to future commercial development in Chavez Ravine, without community input and without disclosure to the community. If you actually listened to the community, you would know that we need renter protections, we need small business stimulus, we need free transit. How long have people been asking for free transit? If you asked what people wanted from LA Metro, you wouldn't hear anyone say a gondola.

P668-5

Come to your senses and kill this project. Unless you have some free shuttles and free bike lending systems to come through with, stay out of our neighborhoods.

P668-6

B

Brandy Jimenez  
[REDACTED]  
[REDACTED]  
Los Angeles, California 90031

**From:** Allen Natian [REDACTED]  
**Sent:** 01/17/2023, 4:36 PM  
**To:** [LAART@metro.net](mailto:LAART@metro.net)  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

I am writing to voice my opposition to the Los Angeles Aerial Rapid Transit Project ("The Gondola" at Dodger Stadium). As a transit and walkable city advocate, I strongly urge you to object this project. It does not solve traffic while wasting money. Sure it's private money but the residents impacts will be not worth this gondola spectacle. There has been little public outreach and therefore feels sketchy.

P669-1

In addition, The Gondola Project will impact historic and cultural resources such as the Los Angeles State Historic Park, historic Union Station, and the Pueblo de Los Angeles Historic Monument.

P669-2

This will also make gentrification worse.

P669-3

If you want less traffic and better transit, a gondola is not the answer. Better transit is. Please side with the people, not a billionaire.

P669-4

Allen Natian  
[REDACTED]  
[REDACTED]  
San Pedro, California 90731

**From:** Sarah Kate [REDACTED]  
**Sent:** 01/17/2023, 4:32 PM  
**To:** [LAART@metro.net](mailto:LAART@metro.net)  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

Hi there,

I am writing to voice my opposition to the Los Angeles Aerial Rapid Transit Project ("The Gondola" at Dodger Stadium). I am an avid Dodgers fan and usually drive to the games and park in the stadium. I saw that the gondola would be built on top of the parking lot, taking parking away from people. How will that help the situation? Especially since the plan doesn't even include additional parking. If I'm coming from Los Feliz, I'm not going to drive to Union Station to board the gondola and then go into the Stadium. And then what? Wait in a Disneyland style line to get back on the gondola to get to my car at Union Station? That doesn't make sense. I feel like the people who planned this have a fundamental misunderstanding of Los Angeles. We drive places. We don't gondola places.

P670-1

P670-2

Sara

Sarah Kate  
[REDACTED]  
[REDACTED]  
Los Angeles, California 90027

**From:** Eric Adams [REDACTED]

**Sent:** 1/18/2023 12:37:05 AM

**To:** LAART@metro.net

**Subject:** I do not support this corrupt, dishonest report on a boondoggle no one asked for.

Dear Mr. Cory Zelmer, I emphatically oppose the gondola.

First and foremost, leaving off Frank McCourt's desire to build The Grove-Chavez Ravine from the report is reprehensible. Everyone working on this dishonest proposal should be ashamed of themselves.

Secondly, calling this project a "public transit" project is majorly deceptive since the project is not public, nor does it behave as transit. It is an attraction, and should be labeled that way.

And thirdly, Chavez Ravine and the surrounding areas have been raped more than enough times. No more. We are paying attention to those of you working on this disgusting boondoggle.

Shame on you!

Eric Adams

P671-1  
P671-2  
P671-3

**From:** Ashley Evangelista [REDACTED]  
**Sent:** 1/18/2023 1:00:27 AM  
**To:** laart@metro.net  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LAART) Project Deir

I am writing to voice my opposition to the Los Angeles Aerial Transit Project (" The Gondola" at Dodger Stadium) I am a resident of Solano Canyon. I am concerned with how the project will be paid for if the project goes over budget.

Ashley Evangelista-Mendiola

P672-1

**From:** Jennifer Martinez <info@email.actionnetwork.org>  
**Sent:** 01/17/2023, 4:58 PM  
**To:** [LAART@metro.net](mailto:LAART@metro.net)  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

To LA Metro,

I am a resident of Echo Park and I am writing to voice my opposition to the Los Angeles Aerial Rapid Transit Project ("The Gondola" at Dodger Stadium). I have four concerns.

First, I am extremely concerned that the DEIR process has not been sufficiently transparent. I would like to know why there have been no public information sessions physically IN CENTRAL CHINATOWN that would allow residents, business owners and neighbors like me to attend. The public information sessions that have been held in late 2022 and early 2023 have been at Union Station, at Cathedral High School, and on Zoom. These sessions have excluded those who cannot easily walk to Union Station or Cathedral High School, well outside of downtown Chinatown, and those who do not have easy access to computers. These sessions have completely excluded those who will be impacted the most by this project.

P673-1

I am outraged that the public comment process has been so incomplete and so opaque. How is it possible that LA Metro has been completely unable to hold a public information session IN CHINATOWN, while at the same time using promotional materials that advertise Chinatown as a backdrop? This is unacceptable. This shoddy approach to reaching residents of Chinatown demonstrates arrogance and cynicism on the part of LA Metro and Frank McCourt. LA Metro has not shown so far that it is capable of gathering public input for this project. Thus far, this is a project being undertaken without knowledge of the communities it will impact, and without gathering sufficient input from these communities.

P673-2

My second concern is the aggressive construction timeline: the Executive Summary states construction could begin in 2024 and take 25 months. It is obvious that though it is not stated, the goal of the timeline is to get the gondola in place in time for the 2028 LA Olympics. This rushed timeline could explain why the public outreach has been so frankly lame. The timeline makes it appear that LA Metro places no value on conducting an honest and thorough public comment process.

P673-3

My third concern is the complete lack of clarity around funding for this project. It is unclear how much of the bill will be footed by McCourt, and completely unclear what the timeline for his funding will be. Will funding for this project eventually end up on LA taxpayers? LA Metro and McCourt need to supply much more detailed information about the funding for this project.

P673-4

My fourth concern is one of safety of riders. The Executive Summary states that the gondola will operate from 6am - 12pm, and that it will be operated remotely. How will riders be protected, especially after dark, when the gondola is being operated? There have been numerous security issues after Dodger games, when fans who have been drinking get into conflicts. How will this issue be handled aboard the gondola? Since the pandemic, Metro has struggled to regain riders it has lost, due to dangerous conditions on trains regarding individuals who are mentally unstable, open drug use, and lack of personnel to address and contain these issues. How does Metro plan to maintain safe conditions for its

P673-5

riders aboard the gondola, and in gondola stations? What would make the gondola stations any different from any other Metro stations in this regard?

I am disappointed in the lack of true outreach to affected neighborhoods, and I strongly oppose this gondola project.

Regards,

Jennifer Martinez

[REDACTED]

LA, CA 90026

Jennifer Martinez

[REDACTED]

[REDACTED]

LOS ANGELES, California 90026

cont'd  
P673-5  
P673-6

**From:** Sherin Bennett [REDACTED]  
**Sent:** 1/18/2023 12:56:04 AM  
**To:** LAART@metro.net  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

I'm writing to voice my opposition to the Los Angeles Aerial Rapid Transit Project. I live in Los Feliz, work downtown, and visit Elysian Park and LA State Historic Park often on my bike. I go to Echo Park often. I'm a bike rider and public transit commuter. The gondola will negatively impact Los Angeles in many ways, including:

- Increasing traffic around Chinatown and Union Station by pushing it away from Dodger Stadium. The existing traffic conditions in Chinatown and around Union Station are already crowded and chaotic, and this project will make it worse. It will also bring more traffic emissions to Chinatown.
- The Gondola project's towers will obstruct park views in Elysian and LA State Historic Park, and this project will significantly impact LA State Historic Park, a much-needed green space in the area.

There are so many better options than this invasive Gondola. I want Metro to fund *real* public transit options to Dodger Stadium that will not displace or harm existing communities. Create a safe route to bike or walk from the Chinatown metro stop to Dodger stadium, and provide secure bike parking at the stadium.

Thank you,  
Sherin Bennett

P674-1  
P674-2  
P674-3  
P674-4

**From:** Jaime Zavaleta <info@email.actionnetwork.org>  
**Sent:** 01/17/2023, 4:55 PM  
**To:** [LAART@metro.net](mailto:LAART@metro.net)  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

I have lived and worked in Los Angeles all 30 years of my life. I hate that we are a car-centric city with such poor public transportation. But a gondola is the last solution I would ever come up with to address that. Literally. I would come up with a catapult, or a human slingshot, or the cannon from the Medieval Times backlot before I came up with a gondola. It's like— did you even go to engineering school?

P675-1

Don't build this gondola because it will displace working class communities and you have no concept for socioeconomic displacement and how the history of transit construction, freeways, and redlining all plays into that. Don't build this gondola because it will make you look like a fool. Have you addressed that in your little environmental report? What do you mean there's no significant impact made by this project? There's significant impact already on my brain just from watching you guys try to justify this. Oh an "innovative" way to travel is coming to Los Angeles. Excuse me? The lime scooters that middle schoolers street race on down 6th St is more innovative than this. How will LA ART compensate the public for the shoddy lies they've told and time they've wasted on the community for all this.

P675-2

P675-3

Maybe you should take a hint from the rest of LA and take some acting classes. You sure need some since you're not very good at pretending this is a good idea either. Clearly you are not meant for transit planning, Mr. Cory Zelmer. Upright Citizens Brigade has open enrollment. I suggest that.

P675-4

Jaime Zavaleta  
[Redacted]  
[Redacted]  
Los Angeles, California 90031

**From:** Tabatha Yelos [REDACTED]  
**Sent:** 1/18/2023 12:58:56 AM  
**To:** LAART@metro.net  
**Subject:** Opposition to project

Dear LA Metro staff,

I am writing to express my opposition to the Dodger Stadium Gondola project. I have several concerns about the Draft EIR.

P676-1

My first issue concerns AECOM, the company that prepared the Draft EIR. This company was selected and paid by Frank McCourt and LAART and thus, it is natural that the findings in the EIR would favor the interests of the developer. Every category was found to have "less than significant" impacts despite concerns from the community. I fear that the evaluations in the EIR contain a deep bias in favor of the developer. \*Metro should work with the community to select an unbiased entity to conduct the EIR.\*

P676-2

**\*Air Quality\***

The Air Quality analysis found that the project would reduce VMTs and therefore decrease emissions. I find this hard to believe. As mentioned repeatedly by the community, the project would simply offset the VMTs to another location: either the station at Union Station or the station in Chinatown. People would still have to travel from all over Los Angeles to get to the gondola. The analysis does not account for first and last mile(s) - in this case) traveled and therefore I fail to see how the overall emissions would be significantly reduced.

P676-3

**\*Energy Analysis\***

Again, in this section the project claims to reduce VMTs without showing how exactly that will happen. The VMTs will simply be displaced to the gondola stations instead of reduced. Further, this analysis claims that the project will increase public transit ridership. This is a broad claim that seems to be based solely on the fact that people will ride the gondola to the stadium, but does not acknowledge that there is no first/last mile(s) solution included in the project and people will still need to drive to the gondola station in order to take it.

P676-4

**\*Greenhouse Gas Analysis\***

This analysis claims that GHGs will be reduced because people will not be driving to Dodger Stadium. Again, the analysis fails to acknowledge that the project does not include a first/last mile(s) solution. A lot of Dodger fans live in the San Fernando Valley and in unincorporated East Los Angeles. How will these people get to and from the gondola? The GHGs will be offset, but I fail to see how they will be reduced.

P676-5

**\*Land Use and Planning Analysis\***

Contrary to the analysis, the project will most certainly break up the community by breaking up existing walkways that neighborhood residents, especially in Chinatown, use to navigate the neighborhood. Chinatown is the community in LA with the second lowest AMI after Skid Row. It is also an aging community with a lot of elderly residents who will have specific challenges navigating their neighborhood and reaching essential resources during the construction phase and once the project is complete. Their needs have not been taken into account. Second, the project does not meet the General Plan of the LA State Historic Park. Trees would need to be cut down in order to build the project. In a City with constantly worsening air quality and increasing temperatures, trees are a vital resource that should be preserved and increased. \*An exception to the General Plan should absolutely NOT be granted.\*

P676-6

P676-7

**\*Noise Analysis\***

The Draft EIR evaluated LTS for an average person, despite the fact that Chinatown has a growing elderly community with higher noise sensitivities. The age of the existing community should be taken into account when doing these analyses. The Draft EIR also mentions a Noise Disturbance Coordinator. Who is this person? Will they be fluent in English, Spanish, Cantonese, Mandarin, and other languages spoken in the area? What powers will they have to address noise complaints? This does not seem to be a sufficient mitigation measure.

P676-8

P676-9

**\*Population and Housing Analysis\***

The project claims that it will not cause any displacement, direct or indirect. However, the potential of the project to increase property values has not been assessed, which is one of the most significant driving factors of gentrification, which would lead to displacement as we have seen in dozens of neighborhoods throughout LA. The idea that this project will not cause any displacement is a false claim as we have seen time and time again.

P676-10

**\*Public Services\***

The analysis claims that it will not add or alter any existing facilities. However, the Chinatown community has been deprived of services

P676-11

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**\*Tabatha Yelós\***

Organizer, Ground Game LA <<http://www.groundgamela.org>>  
@groundgamela  
<<https://twitter.com/groundgamela>>  
<<https://twitter.com/groundgamela>>

**From:** [REDACTED]  
**Sent:** 1/18/2023 12:56:18 AM  
**To:** "zelmerc@metro.net" <zelmerc@metro.net>, "LAART@metro.net" <LAART@metro.net>  
**Subject:** my gondola project comment

dear mr. zelmer AND to whomever it may concern at metro -

there is SO MUCH that is wrong with this gondola project that it can't all be addressed here. (luckily, the vast volume of arguments against it is 'out there' in the news and social media, so please consider all that too please!) suffice to say: IT'S A BAD IDEA. it's another chavez ravine-style community ravaging, but more subtle and really just way more stupid.

P677-1

beginning with la art's website's first page, there are nothing but lies, deceptions and misrepresentations..... all trying to distract the public with shiny new community 'benefits' that will only prove to put taxpayers on the hook for this shaky, ill-conceived, but very pretty, bait and switch scheme.

P677-2

the things it aims to do it can't and won't do: IT WILL NOT REDUCE TRAFFIC CONGESTION OR AIR POLLUTION. period!

P677-3

(there are other ways to get bodies up to the stadium and to reduce auto emissions... the already existing dodger express for example.)

to take the project's objectives seriously is to be fooled into missing the point. this is actually a scam, a slight of hand operation that exists solely to benefit one man and his family. the shell game of entities under whose auspices the project is supposed to be completed by is shameful.

P677-4

there are very few large scale projects like this that ever come-in on-time or on-budget. first this was supposed to be 'privately' funded. then metro was somehow involved. now the project has been 'transferred' or 'donated', an orwellian move, just another subterfuge to convey the project to a seemingly beneficially-named organization. everyone knows that frank mccourt is only concerned with his personal financial interests - it's the height of irony having the project stewarded by something as seemingly innocuous as 'climate resolve'. the only climate mccourt wants to resolve is his financial climate.

P677-5

and regarding the budget, there's no way this project will be fully funded by its proponents nor will it 'pay for itself'. so exactly what provisions are there to remedy any shortfalls in funding due to unforeseen issues in project construction and maintenance - BESIDES having the taxpayers rescue this boondoggle??

P677-6

the gondola project is really a huge impending problem in search of a solid quashing - before it's too late. this whole thing is a bus wreck you can see coming from miles away.

P677-7

once frank mccourt develops his half of the dodger stadium parking lot, there absolutely will be increased traffic and pollution not only in the construction of what is built there, but also from the patrons who will travel to and visit his new retail and restaurant complex. so if he's going to develop his part of the lot, why not just enhance the road capacity to the site and build parking structures there to handle the crowds.

P677-8

it's ironic how the conditions the project aims to ameliorate will only set in motion a compounding cascade of outcomes that will only make worse what it proposes to 'resolve'.

i'm not against building things. new is good! but this is the wrong thing in the wrong place for all the greatly wrong reasons.

no matter how much the project tries to look pretty or do good for the area, the reality of the project will only bring blight and ruin to every point of its neighborhood contact. (in addition to scooters littering our streets, now there'll be big plastic buses flying over our neighborhood.

as well, i've not even addressed the irreparable destruction of wildlife habitat.

as already mentioned, there is so much more to speak to in opposing this debacle in the making.

thank you for STOPPING THE GONDOLA PROJECT, TODAY!

-- ron frank  
p.o. box 862211  
l.a., ca 90086

P677-9  
P677-10  
P677-11  
P677-12  
P677-13

**From:** Annalee Harr [REDACTED]  
**Sent:** 1/18/2023 1:00:57 AM  
**To:** laart@metro.net  
**Subject:** Gondola

This project will not help traffic- this is a bold face lie to benefit the dodgers.... We've heard about the expansion they want to do in Elysian Park for Dodger town... this will also be an amenity for all the development of sham TOCs in Chinatown—— what you are pitching are lies... it's disgusting... people will still drive just as people that live in TOCs have cars

┆ P678-1  
┆ P678-2  
┆ P678-3

Sent from my iPhone

**From:** Tabatha Yelos [REDACTED]  
**Sent:** 1/18/2023 1:16:48 AM  
**To:** LAART@metro.net  
**Subject:** Fwd: Opposition to project

Dear LA Metro staff,

I am writing to express my opposition to the Dodger Stadium Gondola project. I have several concerns about the Draft EIR.

P679-1

My first issue concerns AECOM, the company that prepared the Draft EIR. This company was selected and paid by Frank McCourt and LAART and thus, it is natural that the findings in the EIR would favor the interests of the developer. Every category was found to have "less than significant" impacts despite concerns from the community. I fear that the evaluations in the EIR contain a deep bias in favor of the developer. \*Metro should work with the community to select an unbiased entity to conduct the EIR.\*

P679-2

**\*Air Quality\***

The Air Quality analysis found that the project would reduce VMTs and therefore decrease emissions. I find this hard to believe. As mentioned repeatedly by the community, the project would simply offset the VMTs to another location: either the station at Union Station or the station in Chinatown. People would still have to travel from all over Los Angeles to get to the gondola. The analysis does not account for first and last mile(s) - in this case) traveled and therefore I fail to see how the overall emissions would be significantly reduced.

P679-3

**\*Energy Analysis\***

Again, in this section the project claims to reduce VMTs without showing how exactly that will happen. The VMTs will simply be displaced to the gondola stations instead of reduced. Further, this analysis claims that the project will increase public transit ridership. This is a broad claim that seems to be based solely on the fact that people will ride the gondola to the stadium, but does not acknowledge that there is no first/last mile(s) solution included in the project and people will still need to drive to the gondola station in order to take it.

P679-4

**\*Greenhouse Gas Analysis\***

This analysis claims that GHGs will be reduced because people will not be driving to Dodger Stadium. Again, the analysis fails to acknowledge that the project does not include a first/last mile(s) solution. A lot of Dodger fans live in the San Fernando Valley and in unincorporated East Los Angeles. How will these people get to and from the gondola? The GHGs will be offset, but I fail to see how they will be reduced.

P679-5

**\*Land Use and Planning Analysis\***

Contrary to the analysis, the project will most certainly break up the community by breaking up existing walkways that neighborhood residents, especially in Chinatown, use to navigate the neighborhood. Chinatown is the community in LA with the second lowest AMI after Skid Row. It is also an aging community with a lot of elderly residents who will have specific challenges navigating their neighborhood and reaching essential resources during the construction phase and once the project is complete. Their needs have not been taken into account. Second, the project does not meet the General Plan of the LA State Historic Park. Trees would need to be cut down in order to build the project. In a City with constantly worsening air quality and increasing temperatures, trees are a vital resource that should be preserved and increased. \*An exception to the General Plan should absolutely NOT be granted.\*

P679-6

P679-7

**\*Noise Analysis\***

The Draft EIR evaluated LTS for an average person, despite the fact that Chinatown has a growing elderly community with higher noise sensitivities. The age of the existing community should be taken into account when doing these analyses. The Draft EIR also mentions a Noise Disturbance Coordinator. Who is this person? Will they be fluent in English, Spanish, Cantonese, Mandarin, and other languages spoken in the area? What powers will they have to address noise complaints? This does not seem to be a sufficient mitigation measure.

P679-8

**\*Population and Housing Analysis\***

The project claims that it will not cause any displacement, direct or indirect. However, the potential of the project to increase property values has not been assessed, which is one of the most significant driving factors of gentrification, which would lead to displacement as we have seen in dozens of neighborhoods throughout LA. The idea that this project will not cause any displacement is a false claim as we have seen time and time again.

P679-9

P679-10

**\*Public Services\***

The analysis claims that it will not add or alter any existing facilities. However, the Chinatown community has been deprived of services over the past couple of years. The public land used for this project should be used for public services that this community needs. Notably, more affordable housing to help abate the housing crisis city-wide and more healthcare services for the aging community in Chinatown.

P679-11

**\*Transportation Analysis\***

Again, I reiterate my claim that VMTs would be OFFSET, not reduced. The Draft EIR seems to rely on this A LOT as a condition of the project despite the fact that the analysis is lacking since there is not first/last mile(s) alternative. Further, the project proposes a Traffic Management Plan. As we have seen in past developments in the City, these plans are created without community input and radically impact the daily lives of community residents. This is not a sufficient mitigation measure for this community which has unique and diverse needs.

P679-12

P679-13

**\*Wildfire Analysis\***

The project claims that it will not interfere with existing fire routes, but fails to consider that the LA infrastructure is falling apart and existing routes are already insufficient for community members. In Mt Washington, a nearby hillside community, some of the fire routes are not even paved! A more in depth road quality analysis needs to be done here and fire routes need to be updated and a plan to improve these routes needs to be created with community input so that residents can safely evacuate in the event of a fire.

P679-14

**\*Project Alternatives\***

The idea that the proposed project alternatives would not meet the goals of the proposed gondola project is absurd. Properly expanding the existing bus line to Dodger Stadium would do everything that the LAART project aims to do without disrupting the surrounding community. The goals of the project are broad and the claim that ONLY a gondola project would meet these goals is unfounded - again, a product of a biased evaluation by a company that was handpicked by the developer.

P679-15

P679-16

**\*Parking Study\***

The parking study evaluated parking spots within 0.5mi of the project stations. 0.5mi is way too far of a range. Most people do not park that far away and then walk to a public transit hub. It would be far easier to take a rideshare to the stadium than walk 0.5mi to the gondola station. A better range would be 0.2mi. If we evaluate the parking in that range, I'm sure you will find that there is not nearly enough parking in the area. Also,

P679-17

the fact that this section acknowledges that parking will be necessary to the project directly contradicts the claim that the project will reduce VMTs - instead, it support the claim that VMTs will simply be offset. There is certainly not enough parking around the project and not does the surrounding community want to be used as a giant parking lot. The community has urgent needs, like the need for more affordable housing and a nearby hospital, that need to be addressed. This project overlooks all of this in favor of parking spots - this is a offensive to the lives of community members.

P679-18

Commissioners, I remind you that you have a DUTY to protect the lives and interests of LA residents, and not of LA developers. You have a responsibility to help address the needs of the LA community, and not the desires of LA billionaires. This City is in a serious housing crisis - I'm sure I do not need to explain to you how bad the situation on the streets of this City is. We need to use PUBLIC LAND to address the urgent needs of our City and provide PUBLIC BENEFITS. Please, we are begging you, be responsible with you decisions and help our community that is in such dire need! Take a stand against this project that will bring so much harm and instead bring services that we so urgently need.

P679-19

Thank you for taking the time to read,

--

\*Tabatha Yelós\*

Organizer, Ground Game LA <<http://www.groundgamela.org>>

@groundgamela

<<https://twitter.com/groundgamela>>

<<https://twitter.com/groundgamela>>

**From:** val a [REDACTED]  
**Sent:** 1/18/2023 2:56:24 AM  
**To:** laart@metro.net, councilmember.soto-martinez@lacity.org  
**Subject:** RE: Public comment Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Dear LA ART Project,

My name is Valerie Albicker and I am a LAUSD teacher and lifelong Angelino community member. I want to express reasons for opposition to the Aerial Rapid Transit Project (Gondola at Dodger Stadium). As a resident of city council district #13 and who works with my students in Chinatown and neighboring communities, my students and families will be negatively impacted by this project.

P680-1  
P680-2  
P680-3  
P680-4  
P680-5  
P680-6

The environmental damage and impact of the development, including obstructed views, will bring more light pollution to the surrounding homes and areas. Any lighting or towers will be a nuisance to homes and families.

The impact of traffic also brings more air pollution into the dense area, further compounding the quality of health of community members that live in the area. Surrounding Chinatown and Union Station is the 101 and 5 FWY, the project will bring additional traffic into the area that affects pedestrians and residents of the area.

With any development, families, such as my students living at the poverty level, are priced out and displaced as one of the consequences of gentrification.

In addition to the environmental damage, traffic and displacement of the families I serve, there is the matter of financial transparency. There was no open public process or competitive bidding for this project. How is this project being funded and its ongoing maintenance? Communities, directly impacted by this plan, were not invited to voice whether or not this project is truly an improvement or value to its members!

Thank you for taking the time to review my opposition and concerns for residents directly impacted. If you have any questions, please feel free to contact me at 310-869-5033.

Warmly,

Valerie Albicker  
SpED Teacher/ CD #13 resident

**From:** Annalee Harr [REDACTED]  
**Sent:** 1/18/2023 3:16:06 AM  
**To:** laart@metro.net  
**Subject:** Re: Gondola

Also earthquakes.....

I P681-1

Sent from my iPhone

> On Jan 17, 2023, at 5:00 PM, Annalee Harr [REDACTED] > wrote:

>

> ?This project will not help traffic- this is a bold face lie to benefit the dodgers.... We've heard about the expansion they want to do in Elysian Park for Dodger town... this will also be an amenity for all the development of sham TOCs in Chinatown—— what you are pitching are lies... it's disgusting... people will still drive just as people that live in TOCs have cars

>

> Sent from my iPhone

**From:** Jasmine Perez [REDACTED]  
**Sent:** 01/17/2023, 9:25 PM  
**To:** [LAART@metro.net](mailto:LAART@metro.net)  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

I am writing to voice my opposition to the Los Angeles Aerial Rapid Transit Project ("The Gondola" at Dodger Stadium).

┌  
P682-1  
└

Jasmine Perez  
[REDACTED]  
[REDACTED]  
Los Angeles , California 900225

**From:** Peter Straus [REDACTED]  
**Sent:** 1/18/2023 2:13:25 AM  
**To:** LAART@metro.net  
**Subject:** Please

Keep me up to date on the proposed LA. Gondola System.

┌ P683-1  
└

Thanks!

Peter Straus  
Lancaster, CA

**From:** Rainey Chevako [REDACTED]  
**Sent:** 1/18/2023 2:57:34 AM  
**To:** laart@metro.net  
**Subject:** Opposition to the Los Angeles Arial Rapid Transit Project

Hello, I am an LA citizen who is writing to express my opposition to the proposed gondola to Dodger's stadium. I am concerned over the aesthetic and cultural damages it will inflict on my community and the lack of benefit it provides the people who actually live in this city. I also strongly oppose the potential cultural damage this will do to the city, as developments such as this may lead to future commercial development and gentrification in an area that has already been subject to much development. Furthermore, it provides no solution to the issue of traffic to and from Dodger Stadium. This community is where I grew up and where I went to school. The people who live there should have \*their \*needs met, rather than having the needs of billionaire investors forced on them. Please reconsider this project.

P684-1  
P684-2  
P684-3  
P684-4

Sincerely,  
Rainey Chevako

**From:** Sandra Ko [REDACTED]  
**Sent:** 1/18/2023 3:10:53 AM  
**To:** LAART@metro.net  
**Subject:** Gondola to Dodger Stadium

Hello,

I support the innovative and zero emission Gondola project, and I appreciate the goal of 35% which is unprecedented for local, small, diverse, and DVBE businesses. This will help to create jobs and economic recovery for our community.

┌  
P685-1  
└

Thank you.

Sandra Choi

**From:** Mancera [REDACTED]  
**Sent:** 1/18/2023 2:53:09 AM  
**To:** LAART@metro.net  
**Subject:** A "NO GONDOLA!" comment - negative risks would result.

To  
LAART@metro.net

Dear Sir,

The Daily breeze provided this email for public comments on the proposed Gondola.

Request that there:

1  
BE NO GONDOLA created over China Town. This project will not have much benefit to the citizens of Los Angeles. This design and rationale is only for the few moments in a month that it would be used, so essentially it will not be used much at all, you can say that this is a project of:

THE GONDOLA TO NO WHERE.

Mainly to be used during a day of games, it will therefore be  
-costly and  
-an unsightly hazard  
-with many negative impacts to the China Town community.

2  
There are many hazards associated with this concept that are swept under the rug and not included in a balanced perspective.

2.1 There is constant danger of falling debris from the gondola to the ground. There is no guarantee that it will be 100% enclosed and liquids and other items may be dropped.

2.2 If it is enclosed, there is no air conditioned service to allow fresh comfortable air to be inhaled. Over time, people will trash and urinate (sorry, it is a reality) check the bus and tram lines now, and stink up the ride.

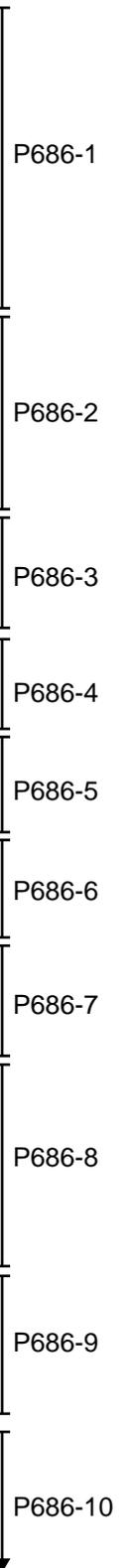
2.3  
The community of Chinatown will bear the stigma of other's poor stewardship.

2.4  
There will be graffiti on the walls and windows and cut up fabric or switch blade carved out messages on the plastic seats.

2.5  
There is no plan to do several-times-a-day daily Corona virus sanitizing of each Gondola and associated equipment cleaning - like every 30 minutes. This would require a person on staff to ride with each trip and sterilize the cabin for each trip. Where is the requirement to pay for these services? Where is the requirement to change scratched and graffitied windows and walls and seating each day that this occurs?

2.6  
Just look at the buses and bus stops and see for yourself that graffiti and vandalism will mirror the Gondolas without adequate cleaning. Did the MTA promote good stops? Why is this not so in many areas?

2.7  
There is no requirement to have the gondola's windows cleaned every hour or so to keep them clean and shining as other countries would do. A terrible unsightly Gondola system will be evident in a few months time and yet this is to be hung over a community that has been mistreated across the



generations, such a railroad workers in dangerous jobs.

cont'd  
P686-10

2.8

Have you ridden the Amtrak train? I have. You will see massive graffiti and absolute filth along the tracks for a few miles out of Union Station, that is the true view of what they think of LA. this project will only contribute to that.

P686-11

2.9

Family and children and visitors will be at risk for dangerous cable failures of the gondolas.

P686-12

2.10

Why isn't there a similar plan over Beverly Hills? Over Marina Del Rey? Over La Canada? Only the poorer areas are giving the shaft.

P686-13

2.11

What is the percentage of the "person-hours metric" expected for the 95% of the time that there is no game? It is a waste of funds. This metric needs to be identified per hour basis over the visitor of six months with proper charts to easily show the time this is used by people.

P686-14

2.12

There should have been several options proposed to this "traffic congestion" problem for game times.

What are they?

P686-15

When were they discussed?

Why weren't they provided?

Why was this a sole-bid contract? Just because the company provided the initial plans, it should not go to them by default.

P686-16

2.12

Better use of the funds for all of Los Angeles would be to extend one of the Fwy off ramps leading into the Griffith park to get to the stadium, like the exit southbound on the 2 Fwy. I have driven by there for years commuting to JPL. These is heavy congestion and stress there in changing lanes every time.

P686-17

2.13

A better solution than the Gondola is to make all streets One Way towards the stadium at game time. All officers would prepare and direct traffic along each intersection for this to go smoothly.

P686-18

2.14

The poor decision to build the stadium where it is, is not for the people of Los Angeles to be expected to pay for their poor business decision. That organization already maltreated and expelled under malevolent intent, to remove poorer residents from their homes in Chavez Ravine to build this stadium, and now the injustices continue.

P686-19

2.15

Bicyclist will not be able to be accommodated with their bikes on the Gondola. They would need many bike racks for locking their bikes. Even so, they risk their bikes being stolen during the game. It will take much real estate to adequately feed the Gondola Stations.

P686-20

2.16

Additional car parking and motorcycle slots and e-bike slots are required way beyond what is already at union station, now not adequate at all. Have you parked there before? It is a stressful process. I have. You are just moving part of the congestion to this area, that is already not adequate for the citizens of LA, what new massive parking structures would you add - is it part of the proposal?

P686-21

2.17

The additional noise of the Gondolas are an added sound hazard to the Chinatown's residents. This extra background noise has an expected decimal noise increase - what is that? Is the regular existing street noise already above safety standards? So will the new levels be on top of that?

P686-22

2.18

I would like to have the mayor and her staff and the developers move to continuously work, as mandatory, at this location to work in this hazardous new condition.

P686-23

2.19

The bases/towers are to be requiring clean maintenance and it will be a big unpleasant footprint that will massively support this weight - three massive towers.

P686-24

2.20

What are the hours of operation? Will it be available 24/7? Has it been promised? What will happen when the developers want to cut back operating hours because it is not cost effective daily, only during the game.

P686-25

2.21

Have the infrastructure to water fountains and restrooms access been included in this budget? Including maintenance to first-rate world-class maintenance and cleanliness?

P686-26

2.22

What are the traffic metrics now for traffic and gor "after project completion"? If they are way off after completion will it be shut down? A total folly.

P686-27

Please seek out the full truth of the many negative consequences to China Town and the people of Los Angeles, as you work to understand all the pros and cons in this decision. I believe that the best decosion is to

P686-28

CANCEL THE "GONDOLA TO NO WHERE FOLLY" PROPOSED PROJECT.

Regards,  
Jose Mancera  
Torrance

**From:** Phyllis Ling [REDACTED]  
**Sent:** 1/17/2023 10:25:15 PM  
**To:** LAART@metro.net, zelmerc@metro.net  
**Subject:** Comments on Draft EIR for LA ART Project, SCH # 2020100007

Dear Mr. Zelmer,

I am OPPOSED to the LA ART Gondola Project.

Please include my comment letter and supporting document in the official file for the DEIR.

Sincerely,

Phyllis Ling

|  
P687-1  
|

**From:** Andy sklauer [REDACTED]  
**Sent:** 12/20/2022 5:48:12 AM  
**To:** LAART@metro.net  
**Subject:** I support zero-emissions transportation in Los Angeles

Dear Mr. Cory Zelmer,

I support the proposed zero-emission Los Angeles Aerial Rapid Transit Project (LA ART), connecting Union Station to Dodger Stadium.

The gondola would benefit visitors to Dodger Stadium and the community by taking cars off the road, increasing access to public transit, and reducing greenhouse gas pollution. Projects like these are important in addressing climate change and improving the quality of life for Angelenos.

Sincerely,

Andy Sklawer

P688-1

**From:** "G. Smith" [REDACTED]  
**Sent:** 1/17/2023 6:52:24 PM  
**To:** "LAART@metro.net" <LAART@metro.net>  
**Subject:** LAART gondola project

To whom it may concern:

Regarding the LAART gondola proposal, it is my opinion that the proposed project be approved because it would provide a valuable transportation resource to those who want to patronize Dodger stadium and various surrounding places of interest.

By having gondolas ferrying people to various venues without the need to clear or otherwise physically harm, historic structures and/or areas, would provide a transportation option that is carbon neutral, would help to reduce traffic congestion and take advantage of unused air space.

Such a project may become a tourist attraction and be a great photography and social networking bonanza, which could infuse much needed and appreciated, money into the economy.

Although cluttering Los Angeles's air space with support towers, cables and gondolas is a liability, unfortunately Los Angeles lacks much of a historical skyline or natural features that such things would harm anyway.

Ideally a vertical take-off and landing (VTOL) airport would be constructed at or near the historic train station and electric VTOL aircraft would ferry passengers to local destinations autonomously and on-demand; but until such a day comes to light, the gondolas would provide much benefit to Los Angeles's residents and visitors alike and as such, would be a refreshing asset to this great city.

Thank you.

P689-1

P689-2

**Comment Letter – P690 through P699**

*Comment numbers have been intentionally skipped.*

January 17, 2023

**VIA EMAIL LAART@metro.net;**  
**zelmerc@metro.net**

Cory Zelmer  
Deputy Executive Officer  
Los Angeles County Metropolitan Transportation  
Authority  
One Gateway Plaza, Mail Stop 99-22-6  
Los Angeles, CA 90012

Re: Comments on Draft EIR for LA ART Project, SCH # 2020100007

**I. PROCEEDURAL DEFECTS IN THE DEIR REQUIRE ITS  
INVALIDATION AND RECIRCULATION.**

**A. The DEIR Is Defective Due To Its Identifying The Wrong  
Lead Agency.**

As shown in the Figure immediately above, the vast majority of the property affected by the Project is property under City or other governmental agency control, rather than Metro control. As detailed at DEIR pages 2-57 to 2-62, the preponderance of the discretionary approvals required for the Project are required from the City of Los Angeles. Per DEIR page 2-61, the following permits are required from Metro:

**Los Angeles County Metropolitan Transportation Agency  
(Metro)**

4. Approvals determined necessary by Metro for the Project, could include, but not necessarily be limited to, the following:
  - a. Pursuant to Public Utilities Code section 130252, submittal, review, and approval of proposed plans for design, construction, and implementation of the Project.

P700-1

- b. Pursuant to Public Utilities Code section 130521 and Civil Code section 801, an easement or other agreement or approval to authorize the construction and operation of the Project within a portion of Los Angeles Union Station.
- c. Pursuant to Public Utilities Code section 130521, an encroachment permit or other agreement or approval to authorize construction and operation of the Project within any Metro L Line (Gold) right-of-way.

It should be noted that Public Utilities Code Section 130252 only relates to approval of a project description, and not detailed project plans, specifications, and estimates as noted in PUC Section 130252(c).<sup>1</sup> Which public agency will be responsible for approval of the detailed project plans, specifications and estimates for this private project and pursuant to what authority?

Furthermore, it should be noted that PUC Section 130252(a) specifies that: “No such plan shall be approved unless it conforms to the appropriate adopted regional transportation plan pursuant to Chapter 2.5 (commencing with Section 65080) of Title 7 of the Government Code.” A determination of conformance by the Southern California Association of Governments (SCAG), which prepares the Regional Transportation Plan (RTP), is thus needed before it can be assumed that Metro has plan approval power. Given that the Project is not included in the Federal Transportation Improvement Program<sup>2</sup> (FTIP) or the Transportation System Project List<sup>3</sup> used in developing the

cont'd  
P700-1

P700-2

P700-3

FN P700-2

<sup>1</sup> <https://law.justia.com/codes/california/2021/code-puc/division-12/chapter-4/article-3/section-130252/>

FN P700-3

<sup>2</sup> <https://scag.ca.gov/sites/main/files/file-attachments/21-05-la-finalcomparison.pdf?1624490178>

<sup>3</sup> See: [https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial\\_project-list\\_0.pdf?1606000813](https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_project-list_0.pdf?1606000813)

current Regional Transportation Plan/Sustainable Communities Strategy, (RTP/SCS) it is questionable whether the Project is consistent with the RTP, and thus whether Metro is the appropriate Lead Agency. All of these issues should be resolved as part of public processes prior to proceeding with any DEIR process for the Project.

cont'd  
P700-3

The following discretionary approvals are required from the City per DEIR page 2-61 to 2-62:

**City of Los Angeles**

5. Approvals determined necessary by the City for the Project, could include, but not necessarily be limited to, the following:
  - a. Pursuant to Charter section 390 and Los Angeles Administrative Code section 13.4, to the extent applicable, to be processed by the Department of Public Works, Bureau of Engineering and the Department of Transportation, a franchise agreement to operate “upon, over, under, or along any street, highway or other place in the City of Los Angeles.”
  - b. Pursuant to Los Angeles Administrative Code section 22.109, to the extent applicable, approval of the design from the Cultural Affairs Commission for the Project components located within the public right-of-way.
  - c. Approvals, to the extent applicable, to be processed by the Department of City Planning, could include, but not necessarily be limited to, the following:

P700-4

- i. Pursuant to LAMC section 11.5.7 the creation of a Specific Plan to provide for consistent application of Project design standards, limitations, and operational measures.
  - ii. Pursuant to LAMC sections 13.11 and 12.32.S, a “SN” Sign District for a comprehensive set of sign regulations on the Project site to permit signage consistent with applicable City requirements.
  - iii. Pursuant to LAMC section 12.24.M, a Plan Approval under the existing 1960 Dodger Stadium Conditional Use Permit (“CUP”) to allow Stadium Tower and Dodger Stadium Station. CUP Condition 4 provides for collaboration “in devising mass transportation service to the Stadium site which will be sufficiently efficient to encourage patronage thereof and thus reduce the number of private automobiles driven to the Stadium events.”
  - iv. Relief from the River Implementation Overlay District, to allow for Alameda Station, Alameda Tower, and Alpine Tower.
  - v. Relief from the Cornfield Arroyo Seco Specific Plan to allow for Chinatown/State Park Station.
- d. Pursuant to Government Code Sections 65864 through 65869.5, a Development Agreement

cont'd  
P700-4

between the Project Sponsor and the City of Los Angeles for 20 years.

CEQA Guidelines Section 15051 establishes the criteria for identifying the lead agency, as follows:

**15051. CRITERIA FOR IDENTIFYING THE LEAD AGENCY**

Where two or more public agencies will be involved with a project, the determination of which agency will be the Lead Agency shall be governed by the following criteria:

- (a) If the project will be carried out by a public agency, that agency shall be the Lead Agency even if the project would be located within the jurisdiction of another public agency.
- (b) If the project is to be carried out by a nongovernmental person or entity, the Lead Agency shall be the public agency with the greatest responsibility for supervising or approving the project as a whole.
  - (1) The Lead Agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose such as an air pollution control district or a district which will provide a public service or public utility to the project.
  - (2) Where a city prezones an area, the city will be the appropriate Lead Agency for any subsequent annexation of the area and should prepare the appropriate environmental document at the time of the pre zoning. The

cont'd  
P700-4

P700-5

Local Agency Formation Commission shall act as a Responsible Agency.

- (c) Where more than one public agency equally meet the criteria in subdivision (b), the agency which will act first on the project in question will normally be the Lead Agency.
- (d) Where the provisions of subdivision (a), (b), and (c) leave two or more public agencies with a substantial claim to be the Lead Agency, the public agencies may by agreement designate an agency as the Lead Agency. An agreement may also provide for cooperative efforts by two or more agencies by contract, joint exercise of powers, or similar devices.

It would appear that the City of Los Angeles has the greatest responsibility for supervising or approving the Project as a whole, and thus that Metro has improperly assumed the lead agency role. In addition, as detailed in this comment letter, the DEIR delegates responsibility for multiple mitigation measures to the City, yet only the City's Los Angeles Historical Monument Authority Department commented on the Notice of Preparation (NOP) for the Project. This is probably because the Notice of Preparation (NOP) failed to identify the important discretionary approvals required from agencies other than Metro.<sup>4</sup> Was the issue of the appropriate Lead Agency discussed with the City? Has an application for the Project been filed with the City?

**B. The DEIR Is Further Defective In Failing to Identify and Consult with all Responsible and Trustee Agencies.**

cont'd  
P700-5

P700-6

P700-7

FN P700-6 <sup>4</sup> A copy of the NOP is available at: [https://files.ceqanet.opr.ca.gov/264989-2/attachment/rT6WZKxmAw5CCIASDTjN44ccsc-e8vIZo9I0VPcsZ2kSQAmO\\_aTD\\_KV1zEK1cpY0i6HAgSo12LpLfcDZO](https://files.ceqanet.opr.ca.gov/264989-2/attachment/rT6WZKxmAw5CCIASDTjN44ccsc-e8vIZo9I0VPcsZ2kSQAmO_aTD_KV1zEK1cpY0i6HAgSo12LpLfcDZO)

The DEIR is under-inclusive in identifying and consulting with all responsible and trustee agencies required under CEQA. As a result, the DEIR violates a core CEQA procedural mandate.

The DEIR identifies as “responsible agencies consulted” only certain City of Los Angeles departments, the City of Los Angeles El Pueblo Historical Monument Authority, and the California Department of Parks and Recreation. (DEIR pp. 8-4 & 8-5.) However, the DEIR lists several other agencies with approval authority over parts of the Project. (DEIR pp. 2-57, 2-61 & 62.) All of these should have been named and consulted as responsible agencies.

As the DEIR acknowledges, permits and approvals will be required from several different agencies, including the California Department of Transportation (Caltrans), California State Parks, and Cal/OSHA. The City of Los Angeles has the most approval authority over the Project, and is the most logical lead agency for this and other reasons, including accountability by elected officials (the Los Angeles City Council) to the public, as opposed to the Metro Board, which is not elected. Because Metro has approval authority over some parts of the Project (DEIR p. 2-61), but far fewer in number than the City of Los Angeles. (DEIR pp. 2-61 & 2-62), Metro itself should be a responsible agency, not the lead agency.

In addition, we believe other public agencies must be named as responsible agencies and consulted as CEQA requires. This includes the Public Utilities Commission (PUC). Because, *inter alia*, the Project would cross over and above railroad tracks, PUC review and approvals are required, with proper public notice and full public hearing processes provided. Also, the Santa Monica Mountains Conservancy is a responsible agency and/or trustee agency under CEQA. (Pub. Res. Code § 33105.) Similarly, the Housing and Community Development Dept. has approval authority as to part of the Project under the Surplus Lands Act, which applies to some of the parcels and large street areas proposed for use as part of the Project.

All responsible agencies were required to be identified as responsible agencies and consulted early in the CEQA process. The under-inclusion/omission of responsible agencies, and the mis-attribution of lead

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P700-7

P700-8

agency role to Metro, creates an insurmountable flaw that renders the DEIR *void ab initio*.

Guidelines Section 15381 provides: “For the purposes of CEQA, the term ‘responsible agency’ includes all public agencies other than the lead agency which have discretionary approval power over the project.”

Further, Pub. Res. Code § 21080.4(a) provides in pertinent part:

“If a lead agency determines that an environmental impact report is required for a project, **the lead agency shall immediately send notice of that determination** by certified mail or an equivalent procedure **to each responsible agency . . . .** Upon receipt of the notice, **each responsible agency . . . shall specify to the lead agency the scope and content of the environmental information that is germane to the statutory responsibilities of that responsible agency . . . in** connection with the proposed project and which, pursuant to the requirements of this division, shall be included in the environmental impact report.” Pub. Res. Code § 21080.4(a) (emphasis added).

See also Guidelines § 15096(b)(2): the responsible agency “shall specify the scope and content of the environmental information which would be germane to the responsible agency’s statutory responsibilities in connection with the proposed project. The lead agency shall include this information in the EIR.” Guidelines Section 15005(a) provides: “‘Must’ or ‘shall’ identifies a mandatory element which all public agencies are required to follow.”

The DEIR’s failure to name and specially serve and seek comment from all responsible (and trustee) agencies constitutes a procedural violation that independently renders the DEIR invalid. This failure has also caused Metro to violate CEQA’s substantive requirements for full environmental disclosure by failing to obtain the expert views and comments of agencies with specialized knowledge of particular environmental and other issues and concerns.

“The purpose of allowing the public and other governmental agencies the opportunity to review EIRs include: sharing expertise, disclosing agency analyses, checking for accuracy, detecting omissions, discovering public concerns, and soliciting counter proposals.” Guidelines § 15200. Guidelines Section 15144 requires an agency to “use its best efforts to find out and disclose all it reasonably can” in preparing the EIR. Metro failed to comply with these mandates regarding soliciting the involvement and opinions of all expert responsible and trustee agencies.

cont'd  
P700-8

This is an occasion where the lead agency not only must go back to the DEIR drawing board in terms of fixing and recirculating the DEIR, but where the correct lead agency needs to go to the drawing board in the first instance.

**C. The DEIR Is Further Defective Due To An Inadequate Notice of Preparation.**

CEQA Guidelines Section 15082(a)(1) requires in part that:

- (1) The notice of preparation shall provide the responsible and trustee agencies, the Office of Planning and Research, and county clerk with **sufficient information** describing the project and the potential environmental effects **to enable the responsible agencies to make a meaningful response**. At a minimum, the information shall include:
  - (A) Description of the project,

P700-9

The description of the Project in the NOP was similarly inadequate, as it failed to inform responsible agencies of the range of discretionary approvals over which they would be required to act. For example, it failed to inform the City of Los Angeles that it would be required to approve a new Specific Plan. The NOP thus failed to trigger comments by the City of Los Angeles regarding the requisite contents of the EIR, and whether Metro is the

appropriate lead agency for Project environmental review. The NOP for the Project was therefore inadequate and ineffective.

**D. The DEIR Is Further Defective Due To A Defective Notice of Availability.**

Pursuant to Guidelines Section 15097(c)(6), the Notice of Availability (NOA) for an EIR is required to disclose:

- (6) The presence of the site on any of the lists of sites enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

The NOA for the proposed Project fails to indicate whether any of the sites associated with the proposed Project are listed in any of the Section 65962.5 databases, despite the fact that the Phase 1 Assessment for the Project, included in DEIR Appendix K, states on pages ES-3 to ES-5 that:

The environmental database report search identified five properties in the proposed Project: LAUS and El Pueblo, which are the proposed locations for vertical circulation elements for the Alameda Station; 901 North Main Street, which is the proposed location of the Alpine Tower; the Los Angeles State Historic Park property, which is the proposed location of the Chinatown/State Park Station; and the 1201 North Broadway property, which is the proposed location of the Broadway Junction.

LAUS (proposed location for construction support space and vertical circulation elements for the Alameda Station) was identified in multiple compliance-related databases, as

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P700-9

P700-10

well as the Cleanup Program Sites- Spills, Leaks, Investigations, and Cleanups (CPS-SLIC) database. . . .

El Pueblo (proposed location for construction support space and vertical circulation elements for the proposed Alameda Station), on the western side of Alameda Street, was identified in the US Brownfields database, which indicates that a Phase I ESA was completed in 2018 to 2019. . . .

The 901 North Main Street property (proposed location of the Alpine Tower) was identified in several compliance-related databases, as well as the United States (U.S.) Brownfields database, which is maintained by the U.S. Environmental Protection Agency (USEPA). . . .

The EnviroStor database, which is an online data management system maintained by the California Department of Toxic Substances Control (DTSC), reports that Los Angeles State Historic Park (proposed location for the Chinatown/State Park Station) entered into a Voluntary Cleanup Program (VCP) with the DTSC in 2001, and remedial action (soil removal) was completed in 2003. However, according to a *Supplemental Remedial Action Workplan Memorandum* prepared by Group Delta Consultants, Inc. in 2015, during construction of Los Angeles State Historic Park in 2014, arsenic and lead contamination was encountered in near surface soils above the established site-specific clean-up goals. Based on available information on the online EnviroStor database, a complete soil removal action report has yet to be completed for the entire Los Angeles State Historic Park property; however, it appears from the Workplan Memorandum noted above that the soil removal action has been completed in selected portions of the park site. . . .

Additionally, the Los Angeles State Historic Park property (proposed location for the Chinatown/State Park Station) is

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P700-10

P700-11

listed with an open-verification monitoring status in the CPS-SLIC database as of 2010. Based on review of documentation available on the online GeoTracker database, which is a data management system maintained by the State Water Resources Control Board (SWRCB), an annual groundwater monitoring program was first implemented in August 2000 at the request of the Los Angeles RWQCB. . . .

The 1201 North Broadway property (proposed location of the Broadway Junction) is listed with a completed-closed leaking UST (LUST) case as of 2001 in the environmental database report and the online GeoTracker database maintained by the SWRCB. . . .

The NOA for the Project thus fails to comply with CEQA. The DEIR must be re-noticed and recirculated for public review and comment.

**E. The DEIR Is Further Defective By Failing to Obtain Responsible Agencies' Acceptance of Delegation of Mitigation Responsibility.**

There are a number of mitigation measures specified in the DEIR which are not within the Lead Agency's control, including MM-LUP-A, MM-TRA-A, MM-TRA-B, MM-TRA-C, and MM-USS-A, as detailed more fully later in this comment letter. Guidelines Section 15097 permits delegation of mitigation monitoring responsibility, provided that the public agency that would be responsible accepts delegation, stating:

**15097. MITIGATION MONITORING OR REPORTING.**

- (a) This section applies when a public agency has made the findings required under paragraph (1) of subdivision (a) of Section 15091 relative to an EIR or adopted a mitigated negative declaration in

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P700-11

P700-12

P700-13

conjunction with approving a project. In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity **which accepts the delegation**; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program. (Emphasis added).

There has been no demonstration or documentation provided that the responsible agencies in question both concur with these mitigation measures and that they have accepted the delegation. Logically, documentation of acceptance of delegation necessarily needs to be provided as part of the DEIR, otherwise there is a lack of substantial evidence that the mitigations in question are feasible, and commenters cannot rely on the Lead Agency's representation that the mitigation measures would reduce impacts to a level considered less than significant. Since no such documentation is provided as part of the DEIR, the Lead Agency has therefore failed to proceed in the manner required by law.

In the absence of substantial evidence of responsible agency agreement and concurrence with the delegated mitigation measures, the potential for impacts in the areas of land use and planning (LUP), transportation (TRA), utilities and service systems (USS) and any other issue areas that depend on the delegation of mitigation development, implementation or monitoring to a public agency other than the Lead Agency, remain. Including pursuant to Guidelines Section 15088.5(a)(1) and (4), the DEIR must be corrected and recirculated for public review and comment.

**II. SUBSTANTIVE DEFECTS IN THE DEIR REQUIRE ITS INVALIDATION AND RECIRCULATION, INCLUDING THE DEIR’S LACK OF AN ACCURATE, STABLE AND FINITE PROJECT DESCRIPTION.**

As first noted by the Courts in County of Inyo v. Los Angeles (1977) 71 Cal.App.3d 185, 199, and reiterated in many subsequent cases, “(a)n accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR.” As explained by the Court of Appeal in StopTheMillenniumHollywood.com v. City of Los Angeles (2019) 39 Cal.App.5th 1:

County of Inyo was the first decision to articulate the need for a definite and unambiguous project description as part of CEQA’s environmental review process. . . .

The County of Inyo court . . . concluded that the “incessant shifts’ among different project descriptions “vitiat[ed] the City’s EIR process as a vehicle for “intelligent public participation,” because “[a] curtailed, enigmatic or unstable project description draws a red herring across the path of public input.” . . . .

“The requirement of an accurate, stable, and finite project description as the *sine qua non* of an informative and legally sufficient EIR has been reiterated in a number of cases since County of Inyo. (See, e.g., Treasure Island, supra, 227 Cal.App.4th at p. 1052, 174 Cal.Rptr.3d 363 [“This court is among the many which have recognized that a project description that gives conflicting signals to decision makers and the public about the nature and scope of the project is fundamentally inadequate and misleading”]; Communities for a Better Environment v. City of Richmond (2010) 184 Cal.App.4th 70, 85–89, 108 Cal.Rptr.3d 478 [EIR failed as an informal document because the project description was inconsistent and obscure as to the true purpose and scope of the project];

San Joaquin Raptor Rescue Center v. County of Merced (2007) 149 Cal.App.4th 645, 653, 57 Cal.Rptr.3d 663 [an EIR must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project].)”

“Only through an accurate view of the project may affected outsiders and public decision makers balance the proposal’s benefit against its environmental costs, consider mitigation measures, assess the advantage of terminating the proposal . . . and weigh other alternatives in the balance.’ [Citation.]” Id. at 16-19.

**A. The NOP Failed to Provide a Stable Project Description.**

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P700-14

The NOP for the Project failed to provide an accurate and stable project description, indicating that:

The proposed route would travel generally along Alameda Street, Spring Street, and Bishops Road from LAUS to Dodger Stadium. The **proposed Project includes options** for an intermediate station to provide additional transit service adjacent to the Los Angeles State Historic Park and the location where the proposed Project flies over portions of the Park (the Spring Street Alternative and Broadway Alternative). . . . Figure 1 shows the regional location of the proposed Project and Figures 2 and 3 provide an overview of the Spring Street Alternative and Broadway Alternative, respectively. (Emphasis added).

**B. The DEIR Fails to Provide a Stable Project Description.**

P700-15

The lack of an accurate, stable and finite project description is then carried forward into the DEIR. DEIR page ES-10 indicates that:

The Project Sponsor will request consideration by the Los Angeles Dodgers of **the potential** for the Dodger Stadium Station **to include** a mobility hub where outside of game day periods, passengers would be able to access a suite of first and last mile multi-modal options, such as a bike share program and individual bike lockers, to access Elysian Park and other nearby neighborhoods, including Solano Canyon. Issues to be addressed in connection with such consideration as to the mobility hub include maintaining security for Dodger Stadium and the surrounding surface parking areas. (Emphasis added).

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P700-15

How has the potential for the Project to include this mobility hub been addressed in the DEIR? An EIR is required to contain an accurate, stable and finite project description. This shows that there is fluidity in the project description and that the project description is not fully accurate or stable.

This fluidity is further exhibited in both the Executive Summary and DEIR Chapter 6, which describe five Design and Use Options for the Project. As explained on DEIR page 6-1:

While not proposed as part of the proposed Project, design and use options to the proposed Project have been considered in this Draft EIR to explore potential options to various Project components. Each design and use option offers a variation to the proposed Project.

P700-16

Pursuant to Section 15126.6(a) of the CEQA Guidelines, an EIR shall describe a range of reasonable alternatives. This Draft EIR provides that analysis in Chapter 4.0. This Chapter 6.0 considers minor variations to the proposed Project, which qualify as design and use options instead of project alternatives.

For the proposed Project, five design and use options are considered for analysis in this chapter:

- Design Option A: Broadway Junction Shift to Avoid 451 E. Savoy
- Design Option B: Single Tower along Alameda Street
- Design Option C: Chinatown/State Park Station with Increased Height
- Use Option D: Chinatown/State Park Station as a Non-passenger Junction
- Design and Use Option E: Pedestrian Bridge at the Los Angeles State Historic Park

The five design and use options are described below, along with an analysis of their potential environmental impacts. The impact analysis is performed relative to the respective Project component of the proposed Project.

It therefore is obvious that the DEIR includes a menu of possible Project components, rather than an accurate and stable project description, and that the project description thus fails to include the Project’s precise location and boundaries. This is a fatal flaw of the DEIR. As noted by the Court in Save our Capitol v. Department of General Services (Dec. 6, 2022) 85 Cal.App.5th 1101 (Save our Capitol):

The description **must include the project’s precise location and boundaries**; a statement of the project’s objectives and underlying purpose; a general description of the project’s technical, economic, and environmental characteristics; and a statement describing the EIR’s intended use. (Guidelines, § 15124, subs. (a)-(d).) Whether the EIR contains an accurate and stable project description is a question of law subject to de novo review. (South of Market Community Action Network v. City and County of San Francisco (2019) 33 Cal.App.5th 321, 332, 245 Cal.Rptr.3d 174 (South of Market); accord Tiburón

Open Space Committee v. County of Marin (2022) 78  
Cal.App.5th 700, 738, 294 Cal.Rptr.3d 56.)

An accurate and complete project description is necessary for an intelligent evaluation of a project’s potential environmental impacts. (Center for Sierra Nevada Conservation v. County of El Dorado (2012) 202 Cal.App.4th 1156, 1171, 136 Cal.Rptr.3d 351; San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus (1994) 27 Cal.App.4th 713, 730, 32 Cal.Rptr.2d 704.) It must contain sufficient information to understand the project’s environmental impacts. (Dry Creek Citizens Coalition v. County of Tulare (1999) 70 Cal.App.4th 20, 28, 82 Cal.Rptr.2d 398.) “Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal’s benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal ... and weigh other alternatives in the balance.” (County of Inyo, supra, 71 Cal.App.3d at pp. 192-193, 139 Cal.Rptr. 396.) . . .

For us, the governing principal is whether the project description may have thwarted the public’s ability to participate in the process and comment meaningfully on the EIR. Inadequate or unstable descriptions of the project may mislead the public and thwart the EIR process. (San Joaquin Raptor Rescue Center v. County of Merced (2007) 149 Cal.App.4th 645, 656, 57 Cal.Rptr.3d 663.) “**A project description that gives conflicting signals to decision makers and the public about the nature of the project is fundamentally inadequate and misleading.**” (South of Market, supra, 33 Cal.App.5th at p. 332, 245 Cal.Rptr.3d 174.) “A curtailed, enigmatic or unstable project description draws a red herring across the path of public input.” (County of Inyo, supra, 71 Cal.App.3d at p. 198, 139 Cal.Rptr. 396.) . . . . (Emphasis added.)

The inclusion of separate, segmented environmental review, of a menu of potential design component options, confuses and misleads the public regarding both the project description and the environmental impacts of the Project. In addition, the differing design options may result in different impacts to treasured historical resources, particularly when it comes to aesthetic impacts on these resources. (See discussion later in this letter documenting the Project’s significant aesthetic impacts on historic resources). Thus, the fluid project description, plus introduction of Design Options, renders the project description fatally flawed.

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P700-16

**C. The DEIR Is Further Defective Because the Project Description Omits Integral Components of the Project.**

The project description included in the DEIR is also fatally flawed because it is incomplete and omits any detail regarding integral components of the Project. As noted on DEIR pages 2-61 to 2-62, the Project requires:

- An amendment to the Los Angeles State Historic Park General Plan
- A franchise agreement from the City of Los Angeles
- Creation and approval of a Specific Plan from the City of Los Angeles
- Modifications or relief from the City’s River Implementation Overlay District and Cornfield Arroyo Seco Specific Plan

P700-17

The DEIR fails to provide specific information regarding the contents of the newly required Specific Plan, or the modifications to existing Plans and Overlay Districts. As a result, the Project Description is curtailed, incomplete and thus not accurate. As noted by the Court in Save Our Capitol at p. 130: “A project description that omits integral components of the project may result in an EIR that does not adequately disclose all the project’s impacts.”

The proposed General Plan amendment, franchise agreement, Specific Plan, and modifications or proposed relief documents should all be provided to the public concurrently with recirculation of a new DEIR.

In addition, the Project Description fails to specify the days and hours of Project operation. This along with the omission of anticipated fare information makes an independent confirmation of the accuracy of DEIR representations regarding ridership and VMT reductions impossible.

P700-18

The Project Description in the DEIR is thus fatally flawed. Including pursuant to Guidelines Section 15088.5(a)(4), the DEIR must be corrected and recirculated for public review and comment.

**D. The DEIR Is Further Defective Because The Project Description Fails to Provide Evidence That the Project is Financially Feasible in the Long Term or Information on the Fare Structure.**

Few public transit systems are fully funded by project fares. This is a private transit project. It is therefore important that the DEIR provide full disclosure regarding Project construction and operating costs, and the anticipated fare structure to demonstrate that the Project and the alternatives are feasible as proposed. This is important for a number of reasons that have implications for the environmental analysis.

For example, first, if the Project does not prove to be financially viable, and the system has to be abandoned or publicly subsidized, it could result in physical degradation of the area, or the diversion of financial resources that support the existing public transit system in order to maintain the Project, thus impacting existing public transit operations. The potential for such economic impacts to result in physical impacts on the environment needs be addressed in the DEIR, including pursuant to Guidelines Section 15131(b), particularly given that it does not appear that there is a financing plan in place which would provide for adequate operational revenues to support this private transit Project long-term.<sup>5</sup>

P700-19

<sup>5</sup> According to the Los Angeles Business Journal, September 5, 2022: <https://labusinessjournal.com/engineering/dodger-stadium-gondola-project-developer-hands-off-project-to-environmental-group-partner-retains-funding-role/>

Second, the fare structure will have an impact on ridership and the mode choice of potential users. The DEIR claims that the Project will result in a reduction in VMT, but both ridership and resulting changes in VMT are highly dependent of the cost of the fare, particularly when it comes to a transit project such as this one, which will largely serve non-transit

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P700-19

Los Angeles Aerial Rapid Transit, the gondola tram development company headed by former Los Angeles Dodgers owner Frank McCourt, agreed on Aug. 9 to donate the gondola project to downtown-based Climate Resolve, an environmental nonprofit that focuses on collaborations to fight the impacts of climate change.

Under the deal, Los Angeles Aerial Rapid Transit will continue to fund the entitlement phase of the project, but Climate Resolve – through a newly created subsidiary called Zero Emissions Transit – will be responsible for shepherding the project through the entitlement process and then assembling the funding package and managing the construction phase.

According to the FAQ for the Project at <https://www.laart.la/faq/>

Similar to the Dodger Stadium Express, each baseball fan with a ticket to a Dodger game will be able to ride the gondola for free to the game. . . . Recognizing that they are not responsible for the project’s financing, the Dodgers will join in providing information about this sustainable and clean energy transit opportunity, so it is well understood by Dodger fans. . . . Just like the Dodger Stadium Express, the aerial gondola will be free to ride for anyone attending a game at Dodger Stadium, which will maximize the air quality benefits from the project and encourage transit ridership. . . . Additionally, to increase local mobility options, the proposed “Community Access Plan” would allow local residents and employees of businesses close to the project to ride the gondola using their Metro fare at no additional cost. . . . For other riders, including tourists, a separate fare is being evaluated, to ensure that LA ART helps to attract visitors to learn more about the history of Los Angeles, starting at Union Station, and enjoy shopping and dining opportunities as well as cultural attractions at Olvera Street and Chinatown.

It therefore does not appear that there is a financing plan in place which would provide for adequate operational revenues to support the system long-term.

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dependent discretionary riders making non-commute trips.<sup>6</sup> Therefore, information regarding operating costs, responsibility, financing, and anticipated fares is needed to support any claims regarding Project-related VMT reductions. In the absence of such information, any claims of VMT reduction, and consequent GHG reductions, are not supported by substantial evidence. This also means that any claims that the Project is consistent with the RTP are also not supported by substantial evidence.

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P700-19

**III. THE DEIR ALSO VIOLATES CEQA BECAUSE IT FAILS TO ANALYZE THE “WHOLE” OF THE PROJECT, AND ENGAGES IN, AND TURNS A BLIND EYE TO, ILLEGAL PIECEMEALING.**

P700-20

<sup>6</sup> As noted in Transit Price Elasticities and Cross-Elasticities, 16 September 2022, Todd Litman, Victoria Transportation Policy Institute, available at: <https://www.vtpi.org/tranelas.pdf> Transit Price Elasticities (i.e. the degree to which transit ridership is affected by changes in price) are a function of:

- *User Type.* Transit dependent riders are generally less price sensitive than choice or discretionary riders (people who have the option of using an automobile for that trip).
- *Trip Type.* Non-commute trips tend to be more price sensitive than commute trips. Elasticities for off-peak transit travel are typically 1.5-2 times higher than peak period elasticities, because peak-period travel largely consists of commute trips.
- *Type of Price Change.* Transit fares, service quality (service speed, frequency, coverage and comfort) and parking pricing tend to have the greatest impact on transit ridership. Elasticities appear to increase somewhat as fare levels increase (i.e., when the starting point of a fare increase is relatively high).
- *Direction of Price Change.* Transportation demand models often apply the same elasticity value to both price increases and reductions, but there is evidence that some changes are non-symmetric. Fare increases tend to cause a greater reduction in ridership than the same size fare reduction will increase ridership. A price increase or transit strike that induces households to purchase an automobile may be somewhat irreversible, since once people become accustomed to driving they often continue. See also: <https://digitalcommons.usf.edu/cgi/viewcontent.cgi?article=1339&context=jpt>

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“Transit fares have a negative and significant effect on ridership in Los Angeles.” Per Rui Liu. “Improving Demand Modeling in California’s Rail Transit System” Mineta Transportation Institute Publications (2018). Available at: [https://scholarworks.sjsu.edu/cgi/viewcontent.cgi?article=1238&context=mti\\_publications](https://scholarworks.sjsu.edu/cgi/viewcontent.cgi?article=1238&context=mti_publications)

A significant portion of the block located east of Bishops Road, north of North Broadway, and south and west of Savoy Street has been acquired at far above market rates between approximately 2019 and 2022. (**Exhibit** attached hereto [parcel maps, data].) This heretofore undisclosed assemblage of parcels in the direct path of and within the Project area appears to be a piecemealed portion of the whole of the larger Project, which the DEIR fails to disclose to the public and decisionmakers. One must ask why, it appears, McCourt- or LA AART-affiliated entities spent tens of millions of dollars in 2019, and continuing in 2022, at that block. A major parking garage or high density development seem to be likely candidates for that assemblage. (See <https://planning.lacity.org/pdiscaseinfo/search/encoded/MjEwNjk00> and <https://la.curbed.com/2017/8/10/16126038/johnson-fain-chinatown-headquarters-for-sale>). The true plan for Bishops/Broadway has not been revealed, but must be as part of a recirculated DEIR.

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P700-20

This large McCourt-directed development clearly appear linked to the Gondola Project but has not been disclosed, analyzed and mitigated in the current DEIR. As a result, the DEIR violates CEQA's prohibition against piecemealing. It does not account for the whole of the Project, including its significant cumulative and growth inducing impacts.

#### **IV. ADDITIONAL CONCERNS ARE RAISED BY THE DEIR'S EXECUTIVE SUMMARY.**

What is the nature of the relationship between the Project Sponsor and the owners and operators of Dodger Stadium? Is this Project, in fact, being proposed by the owners and/or operators of Dodger Stadium, or some subset thereof?

P700-21

The DEIR indicates that the gondola system will require a total of approximately 2.5 megawatts of power (see for example DEIR page ES-12). What is the unit of time for this power use, per minute, per hour, per day, per week?

P700-22

The DEIR describes the Project as a "high-capacity" zero emission ART. In what way is this a zero emission Project? The Project will require

electrical consumption. Electrical generation results in emissions. In what way is this Project high-capacity? The description does not appear to be accurate.

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P700-22

According to Table ES-1, the Project will require the export of a total of 62,623 cubic yards of soil. Table ES-1 should include a line summing the figures provided in the table. The DEIR needs to identify the disposal site for the exported soil and address any indirect impacts associated with the soil export.

P700-23

**V. THE DEIR ALSO VIOLATES CEQA THROUGH IMPROPER USE OF PROJECT DESIGN FEATURES (PDFS) AND BEST MANAGEMENT PRACTICES (BMPS).**

DEIR page ES-21 states:

Project Design Features (PDFs), while not necessary for the impact significance determination, are included in Table ES-2 because they are inherent in the design of the proposed Project. Best Management Practices, or other measures required by law and/or permit approvals, are also requirements of the proposed Project.

P700-24

However, some of the PDF's are clearly mitigation measures and the DEIR fails to innumerate the BMPs assumed in the impact analysis, identify what agency has identified them as BMPs, and to demonstrate that they are really features of the Project, rather than mitigation.

In terms of the PDFs, CUL-PDF-A, CUL-PDF-B, CUL-PDF-C, CUL-PDF-D and CUL-PDF-E, for example, are clearly designed to address potential impacts to the *El Grito* mural and historic Winery and do not describe physical components of the Project. The fact that these PDFs are mitigation measures is evidenced by statements in DEIR Appendix G, including the following:

**Los Angeles Plaza Historic District and The Winery<sup>7</sup>**

The Winery is listed as a contributor to the National Register Los Angeles Plaza Historic District and Los Angeles HCM. The Project may cause direct impacts to The Winery, and thus the Los Angeles Plaza Historic District. Detailed mitigation measures to minimize vibratory impacts to The Winery caused by construction activities to less than significant, including the use of vibration monitoring equipment (VIB-A) and force adjustable ground compaction devices (VIB-B), are provided in LA ART Noise and Vibration Technical Report. In addition to VIB-A and VIB-B, **GPA recommends the implementation of the following PDFs to ensure unforeseen impacts can be minimized to a less than significant level. . . .**

**El Grito (The Cry) Mural<sup>8</sup>**

The Project may cause direct impacts to El Grito mural within Placita de Dolores. The mural is eligible for listing in the National Register, California Register, and as a Los Angeles HCM. Detailed mitigation measures to minimize vibratory impacts to El Grito caused by construction activities to less than significant, including the use of vibration monitoring equipment (VIB-A) and force adjustable ground compaction devices (VIB-B), are provided in LA ART Noise and Vibration Technical Report. In addition to VIB-A and VIB-B, **GPA recommends implementation of the following PDFs to ensure unforeseen impacts can be minimized to a less than significant level. (Emphasis added)**

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<sup>7</sup> Appendix G, page 99-100.  
<sup>8</sup> Appendix G, page 101.

CUL-PDF-A and CUL-PDF-C require pre-construction documentation of the condition of these two resources. CUL-PDF-B then is designed to address any identified impacts and reads as follows:

**CUL-PDF-B Post-Construction Documentation of The Winery.**

Post- Construction: After construction is complete, pictures of The Winery equivalent to CUL-PDF-A will be taken to objectively compare the condition of The Winery before and after construction. In the event that damage to the Winery not documented at the time of the pre-construction survey is identified as being caused by construction activities during construction monitoring, the Project Sponsor will retain an experienced professional or professionals qualified to carry out the repairs within 12 months of completion of the project. Repairs will conform to the Secretary of Interior’s Standards for the Treatment of Historic Properties (36 CFR Part 68).

CUL-PDF-D and E similarly reads as follows:

**CUL-PDF-D Protection During Adjacent Construction.**

Prior to the issuance of building permits for the Alameda Station, the Project Sponsor will ensure that the *El Grito* mural is sufficiently protected from any inadvertent damage caused by construction activities. Following National Park Service guidance for protecting historical resources during nearby construction, the following measures, at a minimum, should be implemented:

1. Vibration monitoring equipment (VIB-A) should be carefully installed so that it does not permanently damage the face of the *El Grito* mural.

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P700-24

2. The *El Grito* mural should be cushioned and buttressed from either side of the wall with padded wood supports. The padding may consist of insulating foam or similar material.
3. A protective barrier or barriers made from plywood should be installed over the front, back, top, and sides of the *El Grito* mural and curved wall to diffuse the force of any potential physical contact. The barrier should include removable panels or similar features to ensure the vibration monitors and mural can be visually inspected during construction monitoring (CUL-PDF-C).
4. Plastic tarp or polyethylene sheeting should be secured over the wood barriers to protect against the accumulation of dust or contact with materials such as uncured concrete or other liquids that could damage or mark the surface of the *El Grito* mural.

All of the protective measures described above should be installed and secured in such a way that does not damage the *El Grito* mural or the wall on which is it located. The barrier will not be physically attached to the *El Grito* mural or wall with screws, nails, or other fasteners.

**CUL-PDF-E Construction Monitoring Plan (Built Resources).<sup>9</sup>**

Prior to the issuance of building permits for the Alameda Station, the Project Sponsor will prepare a Construction Monitoring Plan in coordination with the Los Angeles Department of Cultural Affairs (DCA). The Construction Monitoring Plan will identify specific project milestones at which a qualified professional

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<sup>9</sup> It should be noted that a similar construction monitoring plan for significant impacts to archaeological resources, MM-CUL-A, is classified as a mitigation measure in the DEIR.

meeting the Secretary of the Interior’s Standards for architectural history or historic architecture will be notified by the Project Sponsor or Project Sponsor’s contractor to visit the site and observe and document the *El Grito* mural’s condition. Details will be recorded in construction monitoring memorandums submitted to DCA. These milestones will include, at a minimum:

1. Pre-Construction: Before protection measures are installed (CUL-PDF-D), to confirm the baseline condition of the *El Grito* mural is still consistent with the information presented in the HABS-like documentation (CUL-PDF-C).
2. Pre-Construction: Once protection measures (CUL-PDF-D) are installed, to ensure they are sufficient, and their installation has not damaged the *El Grito* mural.
3. Construction: After each phase of active construction
4. Post-Construction: After construction is complete and protective measures have been removed. At this stage, pictures of the *El Grito* mural equivalent to CUL-PDF-C will be taken to objectively compare the condition of the *El Grito* mural before and after construction.

The Construction Monitor will also be included on notifications from the real-time vibration monitoring equipment (VIB-A).

In the event that damage to the *El Grito* mural not documented at the time of the pre-construction survey is identified as being caused by construction activities during construction monitoring, the Project Sponsor will retain an experienced professional or professionals qualified to carry out the repairs within 12 months of completion of the Project. Repairs will conform to the Secretary of Interior’s

Standards for the Treatment of Historic Properties 36 CFR  
Part 68.

These are clearly measures intended to reduce impacts. The DEIR includes aesthetic, air quality, biological resource, cultural resource, noise, and wildfire PDFs. While several of the PDF are standard regulatory measures, or include components that are regulatory measures, or are actually physical design features of the Project, the PDFs are, for the most part, clearly measures intended to mitigate, minimize or avoid impacts. The way the DEIR has relied on PDFs in making impact judgements is contrary to the requirement that project impact significance determinations under CEQA be made without consideration of mitigation measures.

The EIR for the proposed project thus understates Project impacts by improperly relying on PDFs, which are in fact mitigation measures, as a basis for concluding that Project impacts are less than significant. In Lotus vs. Department of Transportation (2014) 223 Cal.App.4th 645, the Court found that an EIR violated CEQA by incorporating proposed mitigation measures into the description of the project, and then basing its conclusion of less-than-significant impacts in part on those mitigation measures. This is exactly what has been done in the DEIR for the proposed Project. The Court found that this improperly compressed the analysis of impacts and mitigation measures into a single issue.

In Lotus, Caltrans was found to have certified an insufficient EIR based on its failure to properly evaluate the potential impacts of a highway project. The Lotus Court found that Caltrans erred by:

incorporating the proposed mitigation measures into its description of the project and then concluding that any potential impacts from the project will be less than significant. As the trial court held, the “avoidance, minimization and/or mitigation measures,” as they are characterized in the EIR, are not “part of the project.” They are mitigation measures designed to reduce or eliminate the damage to the redwoods anticipated from disturbing the structural root zone of the trees by excavation and

placement of impermeable materials over the root zones. By compressing the analysis of impacts and mitigation measures into a single issue, the EIR disregards the requirements of CEQA. Lotus at pp. 655-656 (emph. added).

The Court ordered Caltrans' certification of the EIR set aside, finding:

[T]his shortcutting of CEQA requirements subverts the purposes of CEQA by omitting material necessary to informed decisionmaking and informed public participation. It precludes both identification of potential environmental consequences arising from the project and also thoughtful analysis of the sufficiency of measures to mitigate those consequences. The deficiency cannot be considered harmless. Id. at 658.

The analyses of both the proposed Project and PDFs are fatally flawed because many of the PDFs are in fact mitigation measures. The EIR thus understates impacts in a way that is far more extreme than what happened in Lotus. Under CEQA, significance determinations must be made without consideration of avoidance, minimization, and/or mitigation measures. The DEIR for the Project has violated this precept and understated and failed to identify impacts. The EIR is therefore fatally flawed on this additional ground. This must be corrected and the EIR recirculated, including pursuant to CEQA Guidelines Section 15088.5(a)(1), (2) and (4).

**VI. THE DEIR FURTHER VIOLATES CEQA BY ENGAGING IN DEFERRED OR DELEGATED MITIGATION, AND BY USE OF MITIGATION MEASURES THAT LACK CLEAR STANDARDS.**

Metro proposes to depend on other agencies to carry out the vast majority of the mitigation measures in the DEIR, and specifies few, if any, parameters within which these other agencies must operate. The mitigation measures for construction impacts are both improperly delegated and deferred, with the City of Los Angeles, which will presumably issue the

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actual construction approvals, bearing the greatest share of the load. This deferral of mitigation and shrugging off responsibility for it reflects Metro’s general attitude, expressed in its original Request for Information to LA ART, that “Metro does not envision taking a hands-on, prescriptive, or performance minded approach to this project.” (LA ART’s Response to Metro’s Request for Information, p. 8.) The DEIR reflects this hands-off approach to the Gondola Project.

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The DEIR identifies what it considers “significant” impacts only during the construction phase of the proposed Project, and only one impact that cannot be mitigated to less than significant. (DEIR, p. ES-58 [Noise and Vibration].) Other potentially significant construction impacts will supposedly be mitigated by a series of plans, yet to be developed. (See, e.g., Construction Traffic Management Plan [MM-TRA-B, at DEIR p. 3.17-67].)

The CEQA Guidelines are clear that an EIR may rely on mitigation that is deferred past project approval “*provided* that the agency (1) commits itself to the mitigation; (2) adopts specific performance standards the mitigation will achieve; and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard that will be considered, analyzed, and potentially incorporated in the mitigation measure.” Guidelines § 15126.4(a)(1)(B) (emphasis added). Section 15126.4(a)(2) requires that mitigation measures “be fully enforceable through permit conditions agreements, or other legally-binding instruments.”

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Many of the mitigation plans are plainly deferred, since they are described in a sketchy, abbreviated manner, in the DEIR and are not required to be adopted prior to the issuance of the relevant building permit (see, e.g., MM-TRA-B, Construction Traffic Management Plan [DEIR, p. 3.17-67], prior to the issuance of a grading permit (VIB-A: Vibration Monitoring [DEIR, p. 3.13-73]), or prior to the start of construction (MM-TRA-C, Temporary Disaster Route Plan [DEIR, p. 3.17-69].) None is required to be fully fleshed out before Project approval, or during the public review of the DEIR. Since these are deferred mitigation measures, Metro must be held to the limitations on deferred mitigation set out in the CEQA Guidelines.

Guidelines Section 15126.4(b) requires in part that:

Formulation of mitigation measures shall not be deferred until some future time. The specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project’s environmental review provided that the agency (1) commits itself to the mitigation, (2) adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will be considered, analyzed, and potentially incorporated in the mitigation measure. Compliance with a regulatory permit or other similar process may be identified as mitigation if compliance would result in implementation of measures that would be reasonably expected, based on substantial evidence in the record, to reduce the significant impact to the specified performance standards.

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All of the mitigation measures need to clearly state when the mitigation is needed to address the significant environmental impact and should be legally enforceable. This is best accomplished by specifying that specific permits shall not be issued until mitigation compliance has been demonstrated. In addition, the mitigation measures should include standards for achieving the requisite level of mitigation and potential actions that can feasibly achieve the performance standards. This is particularly important when mitigation responsibility has been delegated to another public agency.

A number of the mitigation measures in the DEIR do not comply with CEQA requirements that mitigation measures must be feasible and enforceable, that the EIR must identify any uncertainty in the effectiveness of the measures proposed, and that mitigation cannot be improperly deferred. As explained by the Court in Gardiner Farms v. County Kern (2020) 45 Cal.App.5th 814:

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The mitigation measures discussed in the EIR should be feasible. (Guidelines, § 15126.4, subd. (a); see Guidelines, § 15364 [definition of feasible].) . . .

CEQA defines the term “[f]easible” as meaning “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.” (§ 21061.1; see § 21081, subd. (a)(3) [necessary findings relating to mitigation measures or alternatives].) The guidelines add “legal” factors to the list. (Guidelines, § 15364; see City of Marina v. Board of Trustees of California State University (2006) 39 Cal.4th 341, 356.) . . .

CEQA imposes several requirements on mitigation measures. Section 21081.6, subdivision (b) provides: “A public agency shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures. . . .” Similarly, Guidelines section 15126.4, subdivision (a)(2) states: “Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments.” The responsibility of the public agency does not end with simply imposing enforceable mitigation measures. “The public agency shall adopt a reporting or monitoring program for the . . . conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” (§ 21081.6, subd. (a)(1).) The purpose of a monitoring program is to ensure compliance with the mitigation measures imposed as conditions of the project approval.

The absence of specific performance criteria and a commitment by the County leads to the conclusion that the provisions in MM . . . are not “fully enforceable through

permit conditions, agreements, or other legally-binding instruments.” (Guidelines, § 15126.4, subd. (a)(2).) . . .

The requirement for a description of the mitigation is based on the general rule that “an EIR is required to provide the information needed to alert the public and the decision makers of the significant problems a project would create and *to discuss currently feasible mitigation measures.*” (Sierra Club v. County of Fresno, *supra*, 6 Cal.5th at p. 523.) The discussion provided must contain facts and analysis, rather than the agency’s bare conclusions or opinions. (*Id.* at p. 522.) Whether the facts and analysis included in the EIR’s discussion of currently feasible mitigation measures are sufficient to comply with CEQA depends on “whether the EIR includes enough detail ‘to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project.’ [Citations.] The inquiry presents a mixed question of law and fact. . .

Our conclusions that the EIR must identify and explain the uncertainty in the effectiveness of the mitigation measures proposed is a specific application of the general principles governing the discussion of mitigation measures. To fulfill its informational role, an “EIR must contain facts and analysis” (Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agricultural Assn. (1986) 42 Cal.3d 929, 935). Uncertainty in the extent a measure will be effective, as well as the reasons for that uncertainty, are important facts that should be disclosed to the public and decision makers.

“[A]n EIR is required to provide the information needed to alert the public and the decision makers of the significant problems a project would create and *to discuss currently feasible mitigation measures.*” (Sierra Club v. County of Fresno, *supra*, 6 Cal.5th at p. 523.) To fulfill the EIR’s

informational role, the discussion of the mitigation measures must contain facts and analysis, not bare conclusions and opinions. (*Id.* at p. 522.) The level of detail CEQA requires in the EIR’s discussion of facts and analysis of the mitigation measures depends on “whether the EIR includes enough detail ‘to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project.’ “ (*Sierra Club v. County of Fresno*, *supra*, at p. 516.) . . .

Even if particular technologies and techniques had been identified and described in the EIR, this statement leaves the reader wondering if an applicant would be required to commit to any measures in its application or, alternatively, whether the applicant could omit those measures from its application because they were beyond the County’s authority or control. . . .

This “noncompliance with the information disclosure” requirements of CEQA “preclude[d] relevant information from being presented to the public agency” and the public. (§ 21005, subd. (a).) It constitutes a prejudicial violation of CEQA by itself and supports the conclusion that the failure of the mitigation measures to comply with the general rules against deferred formulation was prejudicial.

A number of the mitigation measures in the EIR are legally deficient because, as written, they are not fully enforceable<sup>10</sup> through permit conditions, agreements, or other measures. In addition, several of the mitigation measure are ineffective because they are only required if feasible, thereby vitiating their mitigation value. Other measures are ineffective because they lack standards and constitute improper deferral of mitigation.

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<sup>10</sup> Mitigation is required by CEQA to be fully enforceable, and to be carried out. Guidelines § 15126.4(a)(2); *Lincoln Place Tenants Assn. v. City of Los Angeles* (2005) 130 Cal.App.4th 1491, 1508.

The value of mitigation measures MM-CUL-A and MM-CUL-F are vitiated by language that conditions implementation on the feasibility of the mitigation measure. Mitigation Measure MM-CUL-A reads in relevant part:

**MM-CUL-A: Cultural Resources Monitoring and Mitigation Plan.** A Cultural Resources Monitoring and Mitigation Plan (CRMMP) shall be prepared for the Project by a qualified archaeologist meeting the Secretary of Interior Standards for Archaeology (36 CFR § 61) prior to construction. Where specific project components, such as the Chinatown/State Park Station, have requirements specific to that component, the CRMMP will lay out regulatory requirements (such as PRC 5024) which will be adhered to. This includes SHPO consultation and following practices that seek to avoid and preserve state-owned historical resources, **when prudent and feasible**. The same would be for any specific requirement from El Pueblo de Los Angeles specific to the work at the Alameda station. (Emphasis added).

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The DEIR acknowledges that impacts to archeological resources are significant prior to mitigation. Because the mitigation specified “following practices that seek to avoid and preserve state-owned historical resources,” (only) “when prudent and feasible,” impacts to State-owned archeological resources at the Chinatown/State Park Station and El Pueblo de Los Angeles remain significant and unmitigated.

Mitigation Measure MM-CUL-F is similarly defective and reads as follows:

**MM-CUL-F: Redesign of Placement of Park Amenity Structures to Avoid Archaeological Features at Los Angeles State Historic Park Station.** After implementation of CUL-E, if it is found that the Park amenities (e.g., concessions and restroom) at the Los Angeles State Historic Park have the potential to impact any significant features found during the testing phase of

CUL- E, the location of the park amenity structures will be reconfigured to avoid and/or diminish impacts to those features **as feasible**. (Emphasis added)

Mitigation Measure MM-CUL-F (in combination of MM-CUL-E) is thus both an example of deferred analysis and improper deferral of mitigation. In addition, the mitigation value of the measure is destroyed by the language “as feasible. Impacts to archeological features at Los Angeles State Historic Park therefore remain significant. The DEIR must be corrected to identify these impacts and recirculated pursuant to CEQA Guidelines Section 15088.5 (a)(1), if the feasibility language is retained.

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The following mitigation measure is an example of improper deferral of mitigation because it lacks a clear standard:

**MM-HAZ-A:** *Prepare a Soil and Groundwater Management Plan.* The Project Sponsor shall retain a qualified environmental consultant to prepare a Soil and Groundwater Management Plan prior to any re-grading, decommissioning, or construction activities. The Soil and Groundwater Management Plan would be prepared and implemented to specify methods for handling and disposal in the event contaminated groundwater, contaminated soil, or structures are encountered during Project construction. The Soil and Groundwater Management Plan shall provide a summary of the environmental conditions at each Project component site, including stations and towers. The Soil and Groundwater Management Plan shall include methods and procedures for sampling and analyzing soils and/or groundwater to classify them as either hazardous or non-hazardous; and if identified as hazardous, shall include additional methods and procedures for the proper handling and removal of impacted soils and/or groundwater for off-site disposal and/or recycle. Methods and procedures in the Soil and Groundwater Management Plan shall be in accordance with current federal, state, and local

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regulations, and be protective of workers and the environment.

The mitigation measure lacks a clear standard because it fails to disclose the specific applicable federal, state and local regulations that define the standard. In addition, the mitigation measure is deficient because it is legally unenforceable. It merely requires that “Project Sponsor shall retain a qualified environmental consultant to prepare a Soil and Groundwater Management Plan.” It does not require that the Plan be reviewed and approved by a responsible agency prior to issuance of any grading or construction permits.

Metro and the DEIR fail to comply with CEQA in other respects related to ostensible mitigation measures. The DEIR sets out a long list of partial and full lane closures for periods lasting up to 30 weeks at a time on Cesar Chavez Avenue, Alameda Street, Main Street, Los Angeles Street, and adjacent to the State Historic Park. A few examples of these closures are at the DEIR’s Hazards and Hazardous Materials section at p. 3.9-32 (16 weeks, closures on Cesar Chavez and Alameda, under the Alameda Station, Temporary Deck Option); p. 3.9-35 (16 weeks, require the full-time closure of the two southbound through lanes and the northbound curbside drop off lane during construction of foundations and columns under the No-Deck Option of the Alameda Station); p. 3.9-35 (30 weeks, closure of all lanes on Alameda Street between Cesar Chavez Avenue and Los Angeles Street for the Structural Steel and Gondola Equipment Erection of the Alameda Station); p. 3.9-37 (16 weeks, full time closure of one northbound lane on Alameda Street During Foundation and Columns phase of Alameda Tower construction); p. 3.9-39 (22 weeks, full closure of Alameda Street between Main Street and Alhambra Avenue, except one lane kept open for emergency and local access, for Structural Steel and Gondola Equipment Erection for Alameda Tower); p. 3.9-37 (22 weeks closure of two northbound lands on Alameda between Main and Alhambra for Structural Steel phase of Alameda Tower); p. 3.9-39 (15 weeks, full closure of one northbound land on Alameda Avenue, for Foundations and Columns phase of Alpine Tower); p. 3.17-57 (“full-time closure of all travel and parking lanes on North Broadway (the northbound left/center left turn lane, two northbound through lanes, the southbound through lane, the southbound through-right lane, and the northbound and

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southbound parallel parking lanes) between Cottage Home Street and Savoy Street, and all travel and parking lanes and shoulders on Bishops Road (the shared eastbound left/eastbound right turn lane, the westbound through lane, and the eastbound parallel parking lane and westbound parking shoulder) between North Broadway and Savoy Street during the approximately three-week deck removal phase.”) For brevity’s sake, this is only a partial list. Many more closures are identified in the DEIR.

The proposed Project would wreak havoc for weeks at a time on traffic, in multiple phases of the construction of Gondola stations and towers, causing lane closures in heavily-traveled portions of Los Angeles. The DEIR admits, for example, that the “temporary lane closures during construction would, by necessity, increase traffic volumes on the detour routes, which could increase traffic congestion on those routes.” (DEIR, p. 3.17-58.) It concludes that “implementation of a Construction Traffic Management Plan, as outlined in Mitigation Measure TRA-B, as presented in Section 3.17.5, Mitigation Measures, below, *would be required to ensure* adequate emergency access is maintained in and around the Project alignment and component sites throughout all construction activities to ensure that the impact is less than significant with mitigation incorporated.” (Id.) Similarly, the discussion in the DEIR subsection dealing with emergency response and evacuation plans finds all the lane closures to have less than significant impact only “with mitigation.” (DEIR, p. 3.9-31.)

However, Metro does not commit itself to designing, setting performance standards for, or carrying out the mitigation that the DEIR concludes must be carried out to reduce the impacts of the various closures to less than significant levels. Instead, Metro essentially delegates responsibility for approving and carrying out this mitigation to the City of Los Angeles. The DEIR recognizes that “[a]ll the streets in the Project study area are under the jurisdiction of the City of Los Angeles” (DEIR, p. 3.16-31), and states that, as to mitigation for the impacts of Project construction on traffic and transportation, “the ultimate design, construction process, and traffic handling would be subject to design review and approval by the City of Los Angeles and other reviewing agencies, so the potential construction work areas, and traffic handling could vary from the scenarios identified for the purposes of analysis in this EIR. However, impacts are expected to be less

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than significant with mitigation incorporated.” (DEIR, p. 3.17-45.) That statement shows that Metro does not know whether what is described in the DEIR is what will actually be done on the ground. Metro cannot commit itself to what it admits it does not know. Nonetheless, the DEIR “expect[s]” impacts to be mitigated to less than significant, even if neither Metro nor the public now knows what the mitigation will be or how well it will (or will not) really work. This is a failure to provide substantial evidence that impacts will, in reality, be mitigated to less than significant levels.

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Nor does Metro prescribe full and specific performance standards. Mitigation Measure TRA-B: Construction Traffic Management Plan, prescribes a list of measures to lessen the impacts of lane closures, the presence of construction crews and materials, and so forth. However, it prescribes *no* performance standards for the effectiveness of these measures, except that land uses in proximity to Project construction must be accessible (the degree of accessibility is not specified), and emergency vehicles must be able to get through. (DEIR, p. 3.17-68-3.17-69.) There is no other standard provided for the success or effectiveness of these measures; how well they must work is not specified. The only performance standard provided is the yes/no test of whether or not they are carried out. Neither the decision maker (Metro) nor the public can know how successful any or all of the measures will be, nor is any provision made to determine how well they are or are not working. This violates the Guidelines’ requirement for performance standards.

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Despite this complete lack of standards (except for some access provisions), the DEIR confidently asserts that “transportation impacts would be reduced to a less than significant level.” (DEIR, p. 3.17-69.) This is a conclusion that lacks substantial evidence; no standards have been articulated in the DEIR against which the Plans can be evaluated except the two access provisions. This violates Public Resources Code Section 21002 by allowing the approval of a project that has the potential to harm the human environment. In addition, CEQA’s full public disclosure requirements are also put in jeopardy by this approach to mitigation. The Construction Traffic Management Plan and Temporary Disaster Route Plan do not need to be completed until “prior to the issuance of a building permit for the proposed Project” (*id.*), *after* the CEQA process is completed and without any

guaranteed opportunity or process for public scrutiny of the finished plans. Finally, the DEIR does not discuss whether the various plans and measures will be made enforceable through permit conditions or other agreements. Metro has violated all provisions of CEQA Guidelines Section 15126.4(a)(2).

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Further, as previously noted, CEQA Guidelines Section 15097(a) states that “A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity **which accepts the delegation**; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.” (Emphasis added.)

The DEIR must include documentation demonstrating that specified responsible agencies have accepted delegation of mitigation monitoring and enforcement responsibility. In the absence of such a showing that responsible agencies have accepted the delegation, it cannot be concluded that impacts are less than significant. In addition, the absence of a mechanism for the Lead Agency to verify mitigation compliance, the measures are not legally enforceable. The following are examples of mitigation measures which have not be properly delegated to responsible agencies:

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**LUP-A:** *Obtain a Los Angeles State Historic Park General Plan Amendment.* Pursuant to Public Resources Code 5002.2, the proposed Project shall obtain an amendment to the Los Angeles State Historic Park General Plan to allow transit uses within the Los Angeles State Historic Park General Plan.

**MM-TRA-A:** *Visibility Enhancements.* Prior to the completion of construction of the proposed Project, and in coordination with and **subject to the approval of LADOT**, the Sponsor shall design visibility enhancements for the following locations sufficient to alert drivers to the presence of pedestrians:

- Alameda Tower

- Chinatown/State Park Station

Visibility enhancement features could include high visibility crosswalk treatments, advanced crossing warning signs, flashing beacons, upgraded lighting, and new or upgraded traffic controls, such as traffic signals and all-way stops and right turn on red restrictions and channelization of pedestrians to marked crosswalk locations via fencing. The mitigation measure would be implemented during the construction phase and would be completed prior to proposed Project operations.

The mitigation relies on the City for the definition of the specific measures. There has been no demonstration that the measure will fully reduce significant impacts regarding hazards to less than significant levels. A clear standard has not been articulated. The measure lacks a mechanism to stop the Project, or require additional mitigation or additional environmental review, if the responsible agency believes impacts have not or cannot be reduced to less than significant levels, or the responsible agency fails to comply with the measure or to accept delegation.

Other measures that rely on delegation to responsible agencies and thus lack substantial evidence they will be implemented include:

**MM-TRA-B: *Construction Traffic Management.*** Plan: Prior to the issuance of a building permit for the proposed Project, a detailed Construction Traffic Management Plan (CTMP), including street closure information, detour plans, haul routes, and a staging plan, shall be prepared **and submitted to the City for review and approval.** The CTMP shall formalize how construction will be carried out and identify specific actions that will be required to reduce effects on the surrounding community. The CTMP shall be based on the nature and timing of the specific construction activities at each of the Project construction sites. This coordination will ensure construction activities of the concurrent related projects and associated hauling

activities are managed in collaboration with one another and the proposed Project. The CTMP may be updated as construction progresses to reflect progress at the various Project construction sites. The CTMP will include, but not be limited to, the following elements as appropriate:

- As traffic lane, parking lane, and sidewalk closures are anticipated, worksite traffic control plans, approved by the City of Los Angeles, shall be developed and implemented to route vehicular traffic, bicyclists, and pedestrians around any such closures.
- Visibility to open pedestrian crossings will be maintained, or temporary or permanent measures consistent with TRA-A shall be implemented if determined to be appropriate in coordination with LADOT. In the absence of measures to mitigate or eliminate visual obstructions for pedestrians crossing the street, pedestrian crossings may be closed or relocated to more visible locations.
- Existing school crossings, as denoted by yellow crosswalk striping consistent with the Manual on Uniform Traffic Control Devices (MUTCD) along proposed detour routes shall be evaluated in coordination with LADOT to determine if crossing guards should temporarily be assigned. If it is determined that crossing guards should be assigned, on days/times when detours are active, the proposed Project shall fund crossing guards during morning school arrival and afternoon school departure periods during periods when adjacent schools are in session. If school crossings along detour routes are unsignalized, temporary traffic signals will be evaluated in coordination with LADOT, and would be implemented by the proposed Project if deemed necessary.

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- As partial and full street closures are anticipated at various locations during portions of the Project construction, detour plans, approved by the City of Los Angeles, shall be developed and implemented to route vehicular traffic and bicyclists to alternative routes during these periods.
- Ensure that access will remain accessible for land uses in proximity to the Project alignment and component sites during project construction. In some cases, alternative access locations would be provided or supervised temporary access through the worksite would be accommodated during construction phases where access is hindered, such as foundation construction.
- Coordinate with the City and emergency service providers to ensure emergency access is provided to the Project alignment and component sites and neighboring businesses and residences. Emergency access points will be marked accordingly in consultation with LAFD, as necessary.
- Conduct construction management meetings with City staff and other surrounding construction-related project representatives (i.e., construction contractors) whose projects will potentially be under construction at around the same time as the Project bimonthly, or as otherwise determined appropriate by City Staff.
- Provide off-site truck staging in a legal area furnished by the construction truck contractor.
- Schedule deliveries and pick-ups of construction materials during non-peak travel periods to the extent possible and coordinate to reduce the potential

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of trucks waiting to load or unload for protracted periods.

- During construction activities when construction worker parking cannot be accommodated at the Project component sites, identify alternate parking location(s) for construction workers and the method of transportation to and from the Project component sites (if beyond walking distance) for approval by the City 30 days prior to commencement of construction.
- Provide all construction contractors with written information on where their workers and their subcontractors are permitted to park and provide clear consequences to violators for failure to follow these regulations.

**MM-TRA-C: *Temporary Disaster Route Plan.*** Prior to the issuance of a building permit for the proposed Project, and in coordination with and **subject to the approval of LADOT**, the Sponsor shall submit a temporary disaster route plan to LADOT, which shall include street closure information and detour plans in order to facilitate the movement of emergency vehicles through the study area and minimize effects on emergency response during a disaster. Construction activities and temporary lane closures could quickly be halted in event of an emergency to allow emergency vehicles to travel through the work zones. In addition to detours, the temporary disaster route plan could also include temporary operational measures that would be implemented by the City during a disaster, including temporary contra-flow lanes or reversing directions to flush vehicles during a disaster situation. The temporary disaster route plan would be prepared for the following locations:

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- During those periods when construction of the Alameda Station, the Chinatown/State Park Station, and the Alameda and Alpine Towers require partial closure of one direction or full closure of both directions of Alameda Street or Spring Street.

**MM-USS-A: *Development of a Utility Relocation Plan.***  
Before the start of construction-related activities, including the relocation of utilities, the Project Sponsor shall coordinate with the **LADWP, LASAN, SoCalGas, and Metro** to prepare a Utility Relocation Plan. The Project Sponsor shall also coordinate with the utility companies to minimize impacts to services throughout the Project and **obtain their approval of the Utility Relocation Plan.**

The Utility Relocation Plan shall be prepared, reviewed, and approved by a licensed civil engineer and, at a minimum, include the following:

- Plans that identify the utility infrastructure elements, including access for utility providers and easements, as applicable, that require relocation as a result of the proposed Project;
- Safety measures to avoid any human health hazards or environmental hazards associated with capping and abandoning some utility infrastructure, such as natural gas lines or sewer lines; and
- Timing for completion of the utility relocation, which shall be scheduled to minimize disruption to the utility companies and their customers.

In addition, the mitigation measures in question do not provide an adequate mechanism for the Lead Agency to ensure that implementation of the mitigation measures occurs in accordance with the specified Plans. In the absence of wording in the mitigation providing a mechanism for stopping the

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Project, pending additional environmental review, if the responsible agency does not demonstrate to the Lead Agency successful compliance with the mitigation measures by a time certain, it cannot be concluded that impacts are less than significant.

Furthermore, a mechanism for the Lead Agency to ensure and demonstrate successful compliance with these type of mitigation measures may not be feasible. In the instant case, the Lead Agency has limited permitting responsibility, and thus has limited opportunity to stop project construction and initiate subsequent or supplemental environmental review if the mitigation measures are not implemented or the responsible agencies fail to fully mitigate impacts. This is because the Lead Agency’s permitting responsibility, according to DEIR page 2-61 and as discussed above, is quite limited.

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As documented on pages 2-57 to 2-62 of the DEIR, the preponderance of permitting responsibility is vested in other public agencies. The listed mitigation measures are therefore inadequate and the potential for impacts in these issue areas thus remains. The DEIR must be corrected to identify these impacts and recirculated.

**VII. THE DEIR FURTHER FAILS BECAUSE OF ITS INADEQUATE ANALYSIS OF LIGHT AND GLARE IMPACTS.**

As noted by the Court in the recent Save Our Capitol case: “Aesthetic issues also include the environmental impact of light and glare caused by a project. (See, e.g., Taxpayers for Accountable School Bond Spending v. San Diego Unified School Dist. (2013) 215 Cal.App.4th 1013, 1038, 156 Cal.Rptr.3d 449; Guidelines, Appendix G.)” The DEIR’s analysis of the Project’s light and glare impacts is fatally flawed.

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This is an unusual project in its generation and distribution of light. First, while much of the Project’s footprint is in urbanized Los Angeles, the alignment also crosses wildlife habitat, but the Biological Resources section of the DEIR devotes only three sentences to any potential impact on wildlife in the Gondola corridor from the effects of light from the Broadway Junction, the Stadium Tower, or the passage of hundreds of lighted gondola cabins over

wildlife habitat in the proposed Project’s corridor every night that there is a game or event at Dodger Stadium, or other times when the Project would be used. (DEIR, p. 3.4-19.)<sup>11</sup> Even this cursory discussion does not present actual evidence of lack of impact. Instead, it only observes that lighting would be low-level and directed at the area being illuminated, and that “[d]ue to the high level of exterior lighting currently present in the urbanized BSA, lighting proposed by the Project is not anticipated to have an indirect impact on bird and bat species.” (Id.) No citation to any authority is given for this passive-voice conclusion, and no actual evidence is presented as to the amount of light that would be shed on birds, bats, or other wildlife and their habitat in the Project impact area.

Further, the discussion, such as it is, appears to focus on light from architectural features, and to exclude consideration of light shed from the gondola cabins, which will have interior lighting (DEIR, p. ES-11), and may have exterior lighted advertising, which itself separately contributes to visual and aesthetic blight. The DEIR makes clear that lighted “signage” will be integrated into the Gondola’s “stations, the junction, towers, and cabins,” including signage that “recognizes” Project sponsors; this is otherwise known as advertising. (Id.)

LA ART’s response to Metro’s Request for Information (RFI) states that “[i]n-cabin, on-cabin, and in-station advertising are a part of ARTT LLC’s business model,” and that [w]ith visibility from both the ground and as viewed by riders, the ART system provides a significant and valuable opportunity for potential sponsors and advertisers. Such sponsorship is often packaged with advertising opportunities and can provide substantial upfront and operating capital to subsidize system benefits.” (RFI, p. 36.) The statement is both an acknowledgement that light from the cabins will reach

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<sup>11</sup> The DEIR estimates that 6,000 game attendees (12,000 trips for round-trip) would ride the proposed Project in 2026 and 10,000 game attendees (20,000 trips for round-trip) would ride the proposed Project in 2042 *per game*, reaching the estimated capacity of the system.” (DEIR, p. 3.17-24, emphasis added.) The original proposal estimated cabin capacity at 30-40 passengers each. (Proposal, p. 9.) If the Project carried 12,000 passengers (6,000 each way) on a game night, and if each cabin carried 30 passengers, a total of 400 cabins would fly over the Gondola’s route each game/event night; if a cabin carried 40 passengers, it would be 300 cabins, with all their light.

the ground, and that cabins may have interior and exterior advertising; it is reasonable to assume that such advertising may be lighted.

The DEIR must be revised and recirculated to identify the full range of lighting that the Gondola will contribute to areas that are not fully urbanized and that provide habitat for species that require some darkness, and to analyze this light's potential impacts on such wildlife. The DEIR must also be revised and recirculated to identify the full range of lighting impacts that the Gondola will contribute in terms of aesthetic impacts and glare.

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P700-35

Second, should a reader seek further information on this subject, Appendix C, the technical appendix considering light impacts, fails to provide the clear and readily understandable information to the public that is one of the main purposes of an EIR. (Pub. Res. Code § 21061 [“The purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect which the proposed project is likely to have on the environment[.]”])

The Appendix is consistently confusing, often using technical terms without explaining them or providing a context and/or examples a layperson can understand. It uses terms like “candelas,” “vertical and horizontal footcandles,” and “inverse square law” (DEIR, p. ES-23, 3.1-8; Appdx. C, p. 22) without providing clear explanations or real-world equivalents that would allow laypersons to understand what the terms mean and what the reader is being told, and goes so far as to discuss physics and Newtonian laws, presenting material that many lay readers may find indecipherable. (Appdx. C's Lighting Study, p. 6.) This is a violation of Guidelines Section 15140, which directs that EIRs should be written in plain English. In this respect, the DEIR is less a useful document of information for decision makers and the public on the effects of light from the Gondola than it is a reference manual for those already expert in the subject. Not only must the discussion be expanded to identify all potentially significant impacts of light from the proposed Project, but it must be rewritten in plain English and recirculated, as the Guidelines require.

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Third and finally, the DEIR presents as “proof” that particular Project light sources will *comply* with a particular light standard – and will not have

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a significant impact – solely because that light source is *exempt* from the particular standard. (See, e.g., Appendix C, p. 88 “[T]he proposed Project’s lighting and signage would comply with the [Cornfields Arroyo Specific Plan] requirements where they apply at the Chinatown/State Park Station because the Project’s light fixtures and signage are exempt from the [Cornfields Arroyo Specific Plan] exterior lighting requirements.”) The DEIR also claims that the Project’s light sources comply with the Cal Green (state building energy code) standards in that they are exempt from those standards. (*Id.*) This is faulty reasoning; merely because a particular source of light is exempt from a standard does not mean that the light it spreads has no significant impact.

Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th 1099, at 1109, holds that “notwithstanding compliance with a pertinent threshold of significance, the agency must still consider any fair argument that a certain environmental effect may be significant.” The case holds that even if a project *actually does comply* with an applicable standard, the agency may not conclusively presume that such compliance guarantees that the project will have no significant environmental impact. Analogously, and perhaps with greater force, if a particular light source is exempt from an applicable standard, an agency should not be able to conclusively presume that the source will have no significant impact, unless the agency presents specific, factual proof to support that conclusion.

The existence of an exemption is not evidence, let alone substantial evidence, of no significant impact, as the DEIR assumes. It is simply a failure by the lead agency, and an omission by the DEIR, to disclose, study and mitigate potentially significant impacts. The agency that set the standard may have created the exemption for many reasons, such as cost, technical feasibility, or lack of agency resources to enforce the standard without the exemption, rather than lack of potentially significant impact. Considerations such as feasibility can excuse an agency from certain types of mitigation for a project’s significant environmental effects (Pub. Res. Code §§ 21002, 21081), but they do not and cannot excuse the lead agency from *identifying* all significant impacts of a project.

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P700-37

The exemptions from regulatory standards cited in the DEIR should not be regarded, per se, as evidence – let alone substantial evidence – of lack of significant impact. On the contrary, a lead agency is required to “use its best efforts to find out and disclose all that it reasonably can.” (Guidelines § 15145.) The agency may not simply note the exemption and stop the analysis, as the DEIR does. Lack of an applicable standard is not a get-out-of-jail-free card for environmental analysis. The DEIR must be revised and recirculated to examine the potential impact of Project light sources, regardless of their alleged exemption from particular standards.

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P700-37

#### **VIII. THE DEIR VIOLATES CEQA BY FAILING ADEQUATELY TO ADDRESS BIOLOGICAL RESOURCES IMPACTS.**

According to DEIR page 3.4-12, among the special-status wildlife species identified in the California Natural Diversity Database (CNDDDB) in the study area are: western mastiff bat (*Eumops perotis californicus*; SSC), hoary bat (*Lasiurus cinereus*; tracked by CNDDDB), big free-tailed bat (*Nyctinomops macrotis*; SSC). Furthermore, DEIR page 3.4-16 indicates the presence of possible bat habitat in the Project vicinity:

With the presence of potentially suitable tree roosting habitat in the BSA in the vicinity of the proposed Alameda Station and Dodger Stadium Station sites, and the proximity of the SR-110 overpass to the Stadium Tower, as well as historic records of three special-status bat species (western mastiff bat, hoary bat, and big free-tailed) in the vicinity of the BSA, there is a remote chance that an individual or small group of special-status bats could occur in the BSA.

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Although the DEIR did address the potential for construction-related impacts to bats and to provide mitigation for significant impacts, it did not include a robust analysis of the potential operational impacts of the Project on bats. Additionally, statements regarding potential operational impacts on bats and bat behavior are not supported by substantial evidence.

The proposed Project includes the operation of moving lighted gondolas, suspended 159-175 feet in the air. As noted by Orbach and Fenton, bat collisions “often occur with lighted objects, suggesting ambient light may deleteriously affect obstacle avoidance capabilities.”<sup>12</sup> As noted by Orbach and Fenton:

Many anecdotal reports describe bats colliding with large stationary objects such as television towers [1–6], lighthouses [7], and windows [8–9] that should have been detected by echolocation and avoided. Furthermore, many of these collisions involve illuminated objects that should have been detected by vision.<sup>13</sup>

The proposed Project would potentially increase the hazard risk by providing what are essentially low-flying lighted objects. The presence of the

<sup>12</sup> See Orbach DN, Fenton B (2010) Vision Impairs the Abilities of Bats to Avoid Colliding with Stationary Obstacles. PLoS ONE 5(11): e13912. doi:10.1371/ journal.pone.0013912 , available at: <https://journals.plos.org/plosone/article/file?id=10.1371/journal.pone.0013912&type=printable>

<sup>13</sup> See, e.g.,

1. Van Gelder RG (1956) Echolocation failure in migratory bats. Transactions of the Kansas Academy of Science 59: 220–222.
2. Ganier AF (1962) Bird casualties at a Nashville TV tower. Migrant 33: 58–60.
3. Gollop MA (1965) Bird migration collision casualties at Saskatoon. Blue Jay 23: 15–17.
4. Avery M, Clement T (1972) Bird mortality at four towers in eastern North Dakota: Fall 1972. The Prairie Naturalist 4: 87–95.
5. Zinn TL, Baker WW (1979) Seasonal migration of the hoary bat, *Lasiurus cinereus*, through Florida. Journal of Mammalogy 60: 634–635.
6. Crawford RL, Baker WW (1981) Bats killed at a north Florida television tower: a 25 year record. Journal of Mammalogy 62: 651–652.
7. Saunders WE (1930) The destruction of birds at Long Point lighthouse, Ontario, on four nights in 1929. The Auk 47: 507–511.
8. Test FH (1967) Indicated use of sight in navigation by molossid bats. Journal of Mammalogy 48: 482–483.

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Project may thus pose increased hazards to local bats, and may result in bat avoidance of the area, or changes in bat behavior.<sup>14</sup> This needs to be more fully addressed in the EIR for the proposed Project, given the potential for significant impacts to bat species.

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P700-39

**IX. THE DEIR FURTHER VIOLATES CEQA BY FAILING TO FULLY MITIGATE CULTURAL RESOURCE IMPACTS.**

The mitigation measures and PDFs provided for in the DEIR to address vibration related impacts of the Project on historic resources are inadequate to avoid significant impacts. CUL-PDF-8 requires:

**CUL-PDF-B Post-Construction Documentation of The Winery.**

Post- Construction: After construction is complete, pictures of The Winery equivalent to CUL-PDF-A will be taken to objectively compare the condition of The Winery before and after construction. In the event that damage to the Winery not documented at the time of the pre-construction survey is identified as being caused by construction activities during construction monitoring, the Project Sponsor will retain an experienced professional or professionals qualified to carry out the repairs within 12 months of completion of the project. Repairs will conform to the Secretary of Interior's Standards for the Treatment of Historic Properties (36 CFR Part 68).

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First, this is clearly a mitigation measure, not a Project Design Feature. Second, the measure is inadequate because it fails to guarantee

<sup>14</sup> See also, for example: [https://www.researchgate.net/publication/272889669\\_-\\_Impacts\\_of\\_artificial\\_lighting\\_on\\_bats\\_A\\_review\\_of\\_challenges\\_and\\_solutions](https://www.researchgate.net/publication/272889669_-_Impacts_of_artificial_lighting_on_bats_A_review_of_challenges_and_solutions), and <https://movementecologyjournal.biomedcentral.com/articles/10.1186/s40462-020-00238-2> and <https://reader.elsevier.com/reader/sd/pii/S0269749122007667?token=E2D5544E3FDCBC1CB36C2B634EA59800E212792181BC74C9B3EAD90A439962D2CE3C12F07FA69675E047963208206203&originRegion=us-east-1&originCreation=20230108225259>

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that the Project sponsor will retain sufficient financial resources to make any necessary repairs. It may therefore not be feasible. A mitigation measure requiring that the Project sponsor post a bond in an amount sufficient to cover any needed repairs is required to ensure adequate financial resources to address any impacts to the Winery and *El Grito* mural and to render this mitigation measure feasible. Third, because this is a PDF, it is not legally enforceable through permit or other conditions, and no monitoring responsibility has been established. Fourth, it fails to require independent review of repairs by a responsible agency to ensure that all required work has been completed, and completed consistent with the *Secretary's Standards*.

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MM-VIB-A is not legally enforceable as written. The measure fails to require review and approval of the specified Vibration Monitoring Plan by the Lead or a responsible agency. It also fails to require notification of the responsible monitoring agency should vibrations in excess of the standard be detected, to require all work in the vicinity be stopped pending identification of an appropriate change in construction equipment, to require review and approval by a responsible monitoring agency of any changes to the construction equipment to be used in response to potentially damaging vibration detection, or to ensure that construction activity will not be resumed until it has been determined that construction can be undertaken without exceeding the vibration standard. This measure therefore does not reduce impacts to a level which is less than significant:

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**MM-VIB-A: *Vibration Monitoring*.** Prior to the issuance of grading permits for the proposed Project, the Project Sponsor shall design a Vibration Monitoring Plan. The Plan shall provide for:

- **Vibration Monitoring Equipment:** the placement of vibration monitoring equipment **at least 26 feet away** from the Avila Adobe (1970s addition), El Grito mural wall, and The Old Winery by a qualified professional for real-time vibration monitoring for construction work at the Alameda Station requiring heavy equipment or ground compaction devices.

- **Modification of Vibration Equipment:** The monitoring devices shall notify the construction crew if vibration levels are within 0.1 PPV, in/sec, of the vibration damage threshold. The construction crew shall modify the construction equipment to ensure that the vibration damage threshold is not exceeded.

In addition, the DEIR fails to explain why vibration monitoring equipment would be placed “at least 26 feet away” from the historic resources of concern. As written, would placement of the monitoring equipment 100 miles away comply with the measure, even though such placement would not allow for detection of damaging vibration levels? The measure needs to specify the maximum distance away from the historic resources that monitoring equipment can be located and still be effective, by specifying that monitoring equipment shall not be located more than x feet from . . . . As written, the measure is insufficient to reduce impacts to a level considered less than significant.

These same comments apply to Mitigation Measures MM-VIB-B which suffers from the same problems as MM-VIB-A, which render the measure ineffective in reducing impacts to a level considered less than significant:

**MM-VIB-B: *Force Adjustable Ground Compaction Devices.*** For construction work occurring at the Alameda Station in proximity to the Avila Adobe (1970s addition), El Grito Mural, and The Old Winery:

- **At a distance of 26 feet or more** from the Avila Adobe (1970s addition), El Grito Mural and The Old Winery, any ground compacting equipment, including vibratory rollers and plate compactors, shall be calibrated onsite prior to use to ensure vibration levels remain below the assumed reference level of 0.21 PPV, in/sec, at 25 feet. If the ground compacting equipment cannot achieve the assumed reference level, equipment with less vibration (less than 0.21 PPV, in/sec, at 25 feet), non-vibrating equipment, or

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hand tools shall be required for ground compaction activities.

- Any ground compaction or excavation/drilling operations within 26 feet of the Avila Adobe (1970s addition), El Grito Mural or The Old Winery structures must be completed with non-vibrating equipment or hand tools.

The DEIR has failed to provide sufficient mitigation to reduce construction impacts on historic resources to a level considered less than significant. Including pursuant to Guidelines Section 15088.5(a), the DEIR must be corrected and recirculated for public comment.

**X. THE DEIR FURTHER VIOLATES CEQA BY FAILING TO PROPERLY IDENTIFY OR MITIGATE LAND USE AND PLANNING IMPACTS.**

CEQA requires that a DEIR’s analysis under the Land Use topic disclose and analyze how the Project is *inconsistent* with plans, programs, statutes, ordinances and policies adopted to avoid or mitigate environmental impacts. The Land Use and Planning section of the DEIR, however, consists of an extended “analysis” of the Project’s *consistency* with these documents. This methodological flaw permeates the DEIR’s analysis, masks numerous conflicts, and misleads the public about the Project’s irreconcilable conflicts with multiple binding land use policies.

**A. Los Angeles State Historic Park General Plan - Inadequate Mitigation.**

Because the proposed Project is not consistent with the Los Angeles State Historic Park General Plan,<sup>15</sup> the DEIR identifies the need for the following mitigation measure:

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<sup>15</sup> Available at: <https://lastatehistoricpark.org/wp-content/uploads/2021/07/LASHP-General-Plan.pdf>

**MM-LUP-A** *Obtain a Los Angeles State Historic Park General Plan Amendment.* Pursuant to Public Resources Code 5002.2, the proposed Project shall obtain an amendment to the Los Angeles State Historic Park General Plan to allow transit uses within the Los Angeles State Historic Park General Plan.

This mitigation measure is outside of the control of the Lead Agency. (As discussed above, its absence as part of this process should also be considered a violation of CEQA's project description requirements. The General Plan Amendment and Specific Plan, and all other land use plan amendments, should be concurrently provided to the public and decision makers along with a recirculated DEIR.) In an absence of a showing that the responsible agency is willing to implement this so-called mitigation measures, a finding that plan consistency impacts can be reduced to a level which is less than significant is not supported by substantial evidence. The potential for Los Angeles State Historic Park General Plan consistency impacts remains.

**B. Failure to Identify the Project's Inconsistency With the 2020-2024 Regional Transportation Plan/Sustainable Communities Strategy.**

The Project as proposed is not consistent with the RTP/SCS.<sup>16</sup> The Project is not included in the City's Mobility Plan 2035<sup>17</sup> or in the Transportation System Project List<sup>18</sup> used in preparing the Regional Transportation Plan (Connect SoCal 2020 or the 2020-2045 Regional

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<sup>16</sup> The RTP/SCS is available at: <https://scag.ca.gov/read-plan-adopted-final-connect-social-2020>

<sup>17</sup> Available at: [https://planning.lacity.org/odocument/523f2a95-9d72-41d7-aba5-1972f84c1d36/Mobility\\_Plan\\_2035.pdf](https://planning.lacity.org/odocument/523f2a95-9d72-41d7-aba5-1972f84c1d36/Mobility_Plan_2035.pdf)

<sup>18</sup> Available at: [https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial\\_project-list\\_0.pdf?1606000813](https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_project-list_0.pdf?1606000813)

Transportation Plan/Sustainable Communities Strategy),<sup>19</sup> and this needs to be explained in the DEIR. Furthermore, the Project is not consistent with almost all of the RTP/SCS goals, as detailed in this comment letter and summarized in the analysis contained in the following table. DEIR Table 3.11-2 needs to be corrected and recirculated to reflect the following information, and replaced with the following table.

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<b>Table 3.11-2 Project Consistency with Applicable 2020-2045 RTP/SCS Goals</b>	
<b>Goal</b>	<b>Consistency Analysis</b>
1. Encourage regional economic prosperity and global competitiveness	The proposed project is a 1.2 mile fixed route aerial transit system, which neither coordinates nor connects with the larger area transit network. Given its limited scale, it does not have the ability to encourage regional economic prosperity and global competitiveness. Furthermore, given its limited ridership and the fare structure represented to the media, the long-term viability of the Project is questionable. The Project is thus not consistent with this goal.
2. Improve mobility, accessibility, reliability, and travel safety for people and goods	The proposed Project would provide limited additional mobility primarily to ticket holders of Dodger Stadium events by providing a fixed-route system. Greater flexibility can already be achieved in serving these users via the existing Dodger Stadium Shuttle. As designed, the Project competes for ridership at two of its three stations with the existing bus and light-rail transit system. There is nothing inherent in the Project that would improve overall transit system reliability or safety. The

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<sup>19</sup> Available at: [https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan\\_0.pdf?1606001176](https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf?1606001176)

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	<p>system is not specifically designed for goods movement. It is questionable whether the Project will result in any real or substantial reduction in passenger vehicle miles traveled and associated GHG emissions. The Project is thus not consistent with this goal.</p>
<p>3. Enhance the preservation, security, and resilience of the regional transportation system</p>	<p>The Project is a new privately constructed and operated fixed-route ART with limited projected ridership. Given the high cost of construction and operation, the limited projected ridership, and the fare structure which has been represented in the media, which would generate limited operational revenues, the long-term viability of the ART as a private project is questionable. There is the likelihood that a failing ART may be required to be taken over by Metro in the future, which would take resources away from the existing public transit system to support an expensive, 1.2 mile system with limited inter-system connectivity. The Project may therefore threaten the preservation, security and resilience of the regional transportation system by drawing operating capital from the regional system. The Project is therefore not consistent with this goal.</p>
<p>4. Increase person and goods movement and travel choices within the transportation system</p>	<p>The Project would have limited ridership, which would mainly consist of Dodger Stadium ticket holders and tourists. Dodger Stadium ticket holders are currently served by a Metro-operated Shuttle from Union Station. Most other riders would be diverted from the existing transit system to</p>

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	<p>experience the novelty of the ART. The Project is therefore not consistent with this goal.</p>
<p>5. Reduce greenhouse gas (GHG) emissions and improve air quality</p>	<p>Given the limited Project ridership and the fact that most of the riders would be diverted from other modes of transit, rather than from automobile use, and the Project’s potential to induce additional tourist VMT as tourist commute via Uber or auto to access this ride, the reduction in GHG, if any, would be very limited. The Project is therefore not consistent with this goal.</p>
<p>6. Support healthy and equitable communities</p>	<p>The DEIR indicates the Project is consistent with this goal because the “proposed Project would support healthy and equitable communities by providing a potential mobility hub at the Dodger Stadium property, where passengers would be able to access a suite of first and last mile multi-modal options, such as a bike share program to provide connectivity to Elysian Park and the surrounding communities, as well as a potential mobility hub at the Chinatown/State Park Station.” However, the mobility hub is only a “potential” component of the Project, rather than a committed part of the Project. The Project sponsor can therefore not rely on the potential mobility hub as the basis for concluding consistency with this goal. The Project is therefore not consistent with this goal.</p>
<p>7. Adapt to a changing climate and support an integrated regional</p>	<p>Given the limited, 1.2 mile length of the system, the fact that most of the riders are likely to have been diverted from other</p>

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<p>development pattern and transportation network</p>	<p>modes of transit, and the ability of Metro to convert the existing bus fleet to green energy over time, the Project’s contribution to climate change response is highly questionable. The Project would result in the construction of a highly visible, fixed-route system, limiting the ability of the Project to adapt to a changing regional development pattern. Given the Project’s lack of connectivity to existing transit modes, the Project works against an integrated transportation network. The Project is therefore inconsistent with this goal.</p>
<p>8. Leverage new transportation technologies and data-driven solutions that result in more efficient travel</p>	<p>While the Project does represent the introduction of a new transportation technology to the region, it introduces a technology that is not easily or cheaply integrated with the existing transit system. The lack of integration with the existing transit system would force users whose trips are not limited to between Union Station, Chinatown and Dodger Stadium to have to transfer to other modes to complete their trips. This is not efficient. Furthermore, the 1 hour 12 minutes – 2 hour wait-times to board the system after Dodger Games is also not efficient. The Project is therefore not consistent with this goal.</p>
<p>9. Encourage development of diverse housing types in areas that are supported by multiple transportation</p>	<p>As noted in the existing DEIR consistency analysis: “The proposed Project would encourage development of diverse housing types in areas that are supported by multiple transportation options by</p>

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options	providing an additional transportation option for the residents and visitors in the City of Los Angeles, and enabling access between Dodger Stadium, the surrounding communities, and the regional transit system accessible at LAUS.” This is why the Project would be growth-inducing and the DEIR must analyze it as such.
10. Promote conservation of natural and agricultural lands and restoration of habitats	The DEIR states that: “The proposed Project would promote conservation of natural and agricultural lands and restoration of habitats by being constructed in a previously developed area, and would not impede the region’s goal of conserving land and restoring habitats.” Not destroying habitat is not the same as promoting the conservation of natural lands and habitats. The Project does nothing to further this goal.

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**C. Failure to Identify or Mitigate Inconsistency With the City of Los Angeles General and Specific Plans.**

As previously noted in this comment letter and on DEIR pages 2-61 to 2-62, the Project requires a Specific Plan, and “relief” from the River Implementation Overlay District and Cornfield Arroyo Specific Plan. That is because the Project is not consistent with the General Plan and zoning for the area, or with the associated implementing overlay and Specific Plan. These discretionary approvals represent unidentified mitigation for Project land use plan consistency impacts. These discretionary approvals are outside of the control of the Lead Agency. Absent a showing that the responsible agency is willing to implement these de facto mitigation measures, a finding of plan consistency is not supported by substantial evidence. The potential for Los Angeles City General Plan consistency impacts remains and must be so identified in the DEIR. In turn, those General Plan and Specific Plan

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discretionary approval requests must be the subject of their own full-fledged CEQA review.

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**XI. THE DEIR FURTHER VIOLATES CEQA DUE TO ITS INACCURATE AND FLAWED TRANSPORTATION ANALYSIS.**

The DEIR on page 1-5 claims that as “detailed in Table 3.17-6 of this Draft EIR, the proposed Project is forecast to reduce annual VMT by 2,434,000 in the Project’s first operational year in 2026, increasing as ridership increases to an annual VMT reduction of 5,067,000 in 2042.” However, the DEIR fails to show the analytic route by which this number was reached in any independently verifiable fashion. This forecast is based on a black-box calculation, not supported by substantial evidence or common sense.

**A. Common Sense Explanation of Why The VMT Calculations Are Fatally Flawed.**

CEQA Guidelines Section 15064.3(a) defines VMT as “**the amount and distance of automobile travel attributable to a project**”. Guidelines Section 15064.3(b)(4) requires:

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- (4) Methodology. A lead agency has discretion to choose the most appropriate methodology to evaluate a project’s vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project’s vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

The DEIR has failed to comply with this standard, both when it comes to the ridership estimates, and then when it comes to the VMT calculation. Table 3.17-4 from the DEIR, reproduced below, shows the Project’s anticipated ridership. It should be noted that of these riders, many of the game ticket holders are likely already to be using Metro’s free shuttle service from Union Station, or otherwise accessing the Stadium via transit. For these riders, there would be no VMT reduction, as diversion from the existing shuttle or existing transit does not count for purposes of calculating a VMT reduction. It should also be noted that Metro has the capacity to increase the number of shuttle buses to meet demand and the option to convert these buses to clean energy, which makes the usefulness and benefit of investment in the Project highly questionable.

### Ridership projections

Table 3.17-4: Proposed Project Estimated Daily Riders

Ridership Market Segment	Daily Weekday Riders				Daily Weekend Riders					
	2026		2042		2026			2042		
	Low Day	High Day - Game	Low Day	High Day - Game	Low Day	High Day - LASHP	High Day - Game	Low Day	High Day - LASHP	High Day - Game
<b>Dodger Stadium Access (Game/Stadium Event Ticket Holders)</b>										
Alameda Station		5,100		8,500			5,100			8,500
Chinatown/State Park Station		900		1,500			900			1,500
Tourists	2,575	1,265	2,575	1,265	3,570	3,570	1,210	3,570	3,570	1,210
Dodger Employees	30	140	30	140	30	30	140	30	30	140
<b>Other Special Events</b>										
Special Events at LA State Historic Park						1,120			1,120	
<b>Neighborhood Riders</b>										
Alameda Station	400	400	500	500	200	200	200	250	250	250
Dodger Stadium Station	400	400	550	550	200	200	200	300	300	300
Chinatown/State Park Station (Neighborhood/Regional and Daily Park Access)	425	425	575	575	320	320	320	370	370	370
<b>Total Daily Riders</b>										
Total Daily Riders	3,830	8,630	4,230	13,030	4,320	5,440	8,070	4,520	5,640	12,270

Note: This table shows the number of daily riders. It is assumed that each rider will make two trips.  
 LASHP = Los Angeles State Historic Park.  
 Total ridership in the high game day scenario exceeds the 10,000 riders destined to the game since the Project will operate during the day before the game, including carrying employees and neighborhood riders.

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There are only 81 Dodger home games in any given season.<sup>20</sup> As shown in Table 3.17-4, it is anticipated that 5,100 in 2026, rising to 8,500 persons in 2042 will access Dodger Stadium on game day via the Project from Union/Alameda Station. The DEIR needs to explain the basis for the assumed increase from 2026 to 2042, which it currently fails to do.

Currently Metro operates a free shuttle to Dodger Stadium from Union Station, the Dodger Stadium Express. According to Yelp reviewers, travel time for the Shuttle is 15-20 minutes. According to Metro: “In 2019 the Dodger Stadium Express transported 377,180 passengers, the largest number of passengers of any given year.”<sup>21</sup> This equates to an average of 4,657 passengers from the Shuttle’s two locations: Union Station and Harbor Gateway Transit Center.<sup>22</sup> According to DEIR page 2-10, the Dodger Stadium Express buses only carried approximately 1,850 riders on average per game; however, no source is given for this figure. Please provide a verifiable source.

This means that at least 1,850 of Project riders on game day are likely to be users diverted from the existing free bus Shuttle, and thus do not count as a reduction in VMT. The number of actual new and diverted game day riders will be a function of fare, which has not been disclosed in the DEIR. At maximum, 3,250 Project users in 2026, increasing to 6,650 users in 2042 would thus be ticket holders either diverted from other transit or newly using transit to access the Stadium on game day. Given the post-game loading time for the Project of up to approximately 1 hour 12 minutes in 2026 increasing to 2 hours in 2042 given projected ridership, it is unclear how

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P700-47

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<sup>20</sup> <https://www.truebluela.com/2022/12/6/23316048/dodger-stadium-gondola-project-study-frank-mccourt>

<sup>21</sup> <https://www.metro.net/about/1-a-metros-dodger-stadium-express-to-provide-free-service-from-union-station-and-harbor-gateway-transit-center-to-dodger-stadium-for-all-2022-home-games/>

<sup>22</sup> <https://www.metro.net/about/1-a-metros-dodger-stadium-express-to-provide-free-service-from-union-station-and-harbor-gateway-transit-center-to-dodger-stadium-for-all-2022-home-games/>

many ticket holders will want to use this private gondola system, which requires access via Union Station, and which will likely charge a fare in order to maintain the system.<sup>23</sup> Should game day ticket holders choose to make use of the Project, it is unclear how much of a VMT reduction will actually occur, as it would depend on both how, and from how far away, users come to access the system.

In terms of VMT reduction, it does not appear appropriate to count tourist trips when calculating VMT reduction, as tourist trips are likely induced trips. In fact, the VMT calculation would need to account for how tourists access the system and whether the Project induces automobile trips as tourists take Uber or other vehicles to access one of the only three Project stations. The Project is thus likely to result in an increase in tourist-related VMT.

Commuters making use of the Project are likely to already be using public transit. Given that the Project only has three stations, and the location of those stations, it is unlikely that commuters will switch from bus or rail service to make use of the Project. Whether commuters switch to the Project would be a function of their ultimate destination, relative fare, relative wait time, relative walk time, relative travel time, relative transfer time, and relative numbers of transfers between trip ends. Regardless, commuters that switch from public transit to the Project also cannot be counted in the calculation of any Project-induced VMT reduction.

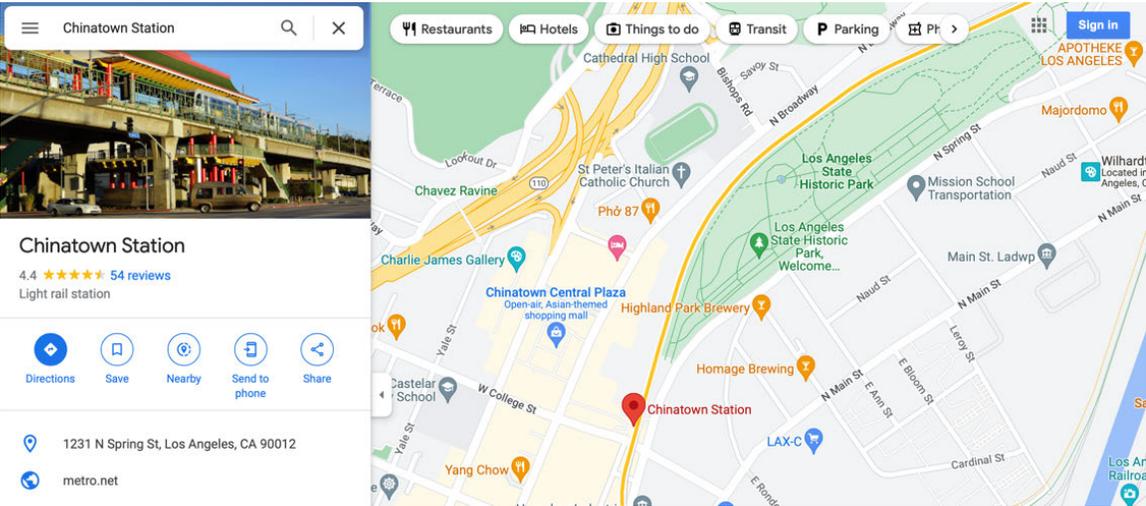
The DEIR fails to justify why neighborhood users would want to use the Project to access the Dodger Stadium station. There is currently no reason to access Dodger Stadium, other than to see a game. Do the ridership projections assume additional development at Dodger Station? (See piecemealing discussion above.) If so, this needs to be disclosed and analyzed in the DEIR. If not, any assumption of neighborhood users of the system is not supported by substantial evidence.

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P700-47

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<sup>23</sup> If a fare is not being charged, the DEIR needs to explain how the system will be financially viable, so as to avoid physical impacts to the environment associated with a non-self-sustaining private transit system.

Instead, any neighborhood users would more likely make use of the system to go between the Chinatown Station and Union/Alameda Station, which each have trip attractors. However, there are already Metro stations at Chinatown and Union Station, as shown in this Figure, which also shows the proximity of the existing Metro Chinatown Station to the Los Angeles State Historic Park.



**Proximity of Existing Metro Chinatown Station to the Los Angeles State Historic Park and location of the ART Chinatown Station**

In making a trip between Chinatown and the Union Station area, potential riders would be deciding between the use of the Project system, existing Metro public transit, walking, or making the trip via automobile. Only trips diverted from automobile use, to Project use, would count towards a VMT reduction. Given that it is approximately 0.6 miles, or a 12-minute walk between the two existing stations according to Google Maps, and the Metro Gold Line already runs between the existing Metro Chinatown Station and Metro Union Station, use of the Project to travel between these two locations would be dependent on its relative cost, the minor difference in proximity to nearby uses between the Metro and Project systems, and the user's ultimate destination.

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P700-47

Users that don't have both an origin and destination at one of the Project stations would be more likely to continue to use other existing public transit, which would not require a transfer to reach, or fewer transfers to reach their destination. The likelihood that any riders would be diverted from automobile use, given the proximity of existing transit is unlikely. Therefore, VMT reductions would also be unlikely to result from the Project, from neighborhood users traveling between these two locations.

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P700-47

The VMT reduction claims in the DEIR are not supported by substantial evidence or common sense. It appears that the VMT reduction claims are grossly overstated and that there may in fact be a net increase in VMT due to induced tourist trips.

It also appears that the likely VMT reductions resulting from the Project are not enough to qualify the Project as an Environmental Leadership Transit Project (ELTP), and objection is also made to the characterization and special treatment of the Project as an ELTP. Given the likely significant overstatement of Project-induced VMT reductions, Greenhouse Gas (GHG) reduction estimates are also likely significantly overstated.<sup>24</sup> Furthermore, given the lack of a financial operating plan and representations that fares for ticket holders will be free, as discussed elsewhere in this comment letter, it is highly questionable whether the useful life of the system will extend to 2056, the year used to justify the Project's compliance with Pub. Res. Code Section 21168.6.9 as discussed on pages 1-4 to 1-9 of the DEIR. More likely the Project will become financially unsustainable long before then. Furthermore, as noted elsewhere in this comment letter, the Project is not included in the current RTP/SCS project list, and thus the Project is not consistent with the RTP or many of its goals. Substantial evidence does not support the assertion that the Project as an ELTP. Both the VMT calculations and the GHG calculations in the EIR need to be redone in a recirculated DEIR to

P700-48

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<sup>24</sup> Although the Project sponsor claims the Project will have zero emissions, and will make use of Green Power, the Project does not include a mitigation measure to that effect or any other legally binding method for ensuring the Project will use 100 percent Green Power over the entire life of the Project. In the absence of legally enforceable guarantees, GHG emissions reduction figures are likely further overstated.

more accurately reflect the likely reality of Project use behavior, and must be supported by verifiable substantial evidence.

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P700-48

**B. Further Objections to the DEIR’s VMT and GHG Reduction Claims, As Well As Its Failure To Address Caltrans Encroachment Requirements.**

As described in DEIR Appendix N, due to the unique nature of the proposed Gondola Project, both the Metro ridership forecasting model and the City of Los Angeles travel demand model were inadequate to estimate ridership to Dodger Stadium because they are “regular weekday employment” models that exclude “special generators” like Dodger Stadium.

P700-49

To attempt to remedy the inadequate forecasting and travel demand models, a consultant developed a “regression-based game-day ridership model” to estimate ridership to Dodger Stadium via the proposed Gondola Project. This Ridership Model is inadequate because it fails to validate and calibrate its data (highway speeds, travel times, and Gondola ridership) to ground truth.

**1. Lack of Baseline Data Renders The DEIR Invalid.**

Per LADOT’s 2022 Transportation Assessment Guidelines, Page 2-21, “Caltrans Performance Measurement System (PeMS) data should be used to identify freeway operating speed(s) during the peak hour being analyzed. If reliable PeMS data are not available at the subject location, other sources of speed data including location-based services data from available sources could be used.”

P700-50

Appendix N - Transportation in the DEIR states: “Sampled speed data were not available for the SR-110 adjacent to Dodger Stadium.” Yet Appendix N, Page 10, concludes: “The ridership model includes an assumed 10% increase in travel time for 2026, and a 25% increase in travel time for 2042 conditions relative to 2019 conditions. Based on the freeway speed trends, assuming trends hold, these assumptions are reasonable.”

To decide whether a given project’s environmental effects are likely to be significant, an agency must use some measure of the environment’s state absent the project, a measure sometimes referred to as the baseline for environmental analysis. The baseline normally consists of the physical environmental conditions in the vicinity of the project, as they exist at the time environmental analysis is commenced. Guidelines § 15125; North County Advocates v. City of Carlsbad (2015) 241 Cal.App.4th 94, 96.

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P700-50

Here, the DEIR fails as an informational document because there is no baseline travel time speeds provided for the Project vicinity because there is no PeMS speed data available (or obtained and then provided to the public as part of the DEIR) for SR-110 near Dodger Stadium. As such, the base year travel time speeds cannot be validated, making any assumptions for future travel times conjectural and flawed. The DEIR could easily and should have validated travel time speeds near Dodger Stadium to ensure reasonable model calibration. The DEIR should be recirculated to include this foundational baseline information.

**2. The DEIR’s Transit Mode of Access Analysis is Flawed.**

Similarly, the Gondola Project transit access model analysis of proposed ridership is flawed for lack of validation and calibration. Appendix N, Page 8, states: “The existing model was then calibrated to existing conditions for the share of Dodger Stadium Express (DSE) riders that take transit to LA Union Station based on data prepared by Metro in reports to the South Coast Air Quality Management District (SCAQMD) for the 2011-2015 Dodger seasons.”

P700-51

Additionally, the transit access model utilized 2014 Dodger Stadium Express intercept survey data to calculate mode of access to Dodger Stadium. The consultants used the same percentages as 2014, which “indicated that 88% of riders arrived via transit, walking, or biking.”

Again, these data have not been validated, but are used to calibrate the transit access model. However, 2014 survey data are not an adequate representation of existing mode access to support future forecasts of the

proposed Gondola Project’s ridership, which makes future access mode data flawed. The DEIR could and should have validated mode access data to existing conditions to ensure reasonable model calibration. The DEIR should be recirculated to include this foundational information.

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P700-51

**3. The “Customer Experience” Factor is Flawed.**

Appendix N, Page 12, states: “There is no available data source to quantitatively estimate how this user experience alone will impact ridership, but it is believed that actual ridership could ultimately exceed the model estimates due to the unique experience of the system. An assumed factor of 20% was applied on top of the model estimates to reflect this potential to capture riders associated with the proposed Project’s customer experience.”

P700-52

Nonetheless, the consultant “assumed mode of access for these riders is 65% vehicle mode of access, and 35% transit/walk/bike.” Here, there is no dispute these data are not validated or calibrated because the document explicitly states there is no data available, but adds “assumed” factors without any surveys or other data collection. Thus, any VMT or GHG reduction benefits should not be included in the DEIR. The DEIR should be recirculated to remove any alleged VMT or GHG reduction benefits based on this “customer experience factor.”

**4. The Los Angeles State Historic Park Rider Estimate Methodology Is Questionable.**

As above, “No data are available for mode share of attendees travelling to events at the Park.” But in this instance the consultants do not make any “assumed” factors, but do acknowledge, “because quantitative data to further refine this estimate was not readily available, Fehr & Peers conservatively did not include in the Transportation Section of this EIR the VMT reduction benefit of the proposed Project for this ridership market segment.” Please confirm no VMT or GHG reduction benefits are attributed based on mode share of attendees to the State Historic Park.

P700-53

**5. The Vehicle Miles Traveled (VMT) Analysis Is Further Flawed.**

P700-54

The DEIR at 3.17-26 states: “the proposed Project would not increase vehicle capacity as it is a mode of transit. The proposed Project, as detailed in this section, would reduce VMT. Thus, no VMT analysis is required, and the associated impact is therefore less than significant.” However, the Project sponsor is LA Aerial Rapid Transit Technologies, LLC (page 1-1), not a public transit agency. Furthermore, “gondolas” are not a mode listed as exempt under SB 743.

This is confirmed on page 3.17-27. “Transit and active transportation projects generally reduce VMT and therefore are presumed to cause a less-than-significant impact on transportation. This presumption may apply to all passenger rail projects, bus and bus rapid transit projects, and bicycle and pedestrian infrastructure projects.” Thus, it is not demonstrated that the Project is exempt from a VMT, in light of the fact that “gondolas” are not mentioned.

As a matter of precaution, the Project applicants point out that “while not required, the VMT reduction benefit of the proposed Project was quantified for informational purposes.” Interestingly, the purported VMT reduction benefits rely exclusively on Dodger games, which equate to eighty-one (81) regular season games, which is only twenty-two percent (22%) of the days of the year.

As detailed above, because the Gondola’s Ridership Model is flawed by not being appropriately validated and calibrated, the Estimated Daily VMT – with Proposed Project (Table 3.17-5) numbers are inaccurate. This is further supported by the October 24, 2022 UCLA Mobility Lab Study

([https://uploads-ssl.webflow.com/61c3996ce146bfa8fc27adeb/635c2657c071e02577a5c5a0\\_Report%20on%20UCLA%20study%20of%20gondola%20traffic%20impact%20102522%20.pdf](https://uploads-ssl.webflow.com/61c3996ce146bfa8fc27adeb/635c2657c071e02577a5c5a0_Report%20on%20UCLA%20study%20of%20gondola%20traffic%20impact%20102522%20.pdf))

which concluded:

“Promoters of the gondola claim that it will take 3,000 polluting cars off neighborhood streets and the 110 freeway before and after Dodger games, leading

to a net reduction in greenhouse gas emissions. Transportation researchers from the University of California, Los Angeles (UCLA) examined these claims using a state-of-the-art transportation simulation model and found that the gondola could reduce traffic on major roads around Dodger Stadium on the night of a sold-out game, but the impact would likely be very limited. They found that the gondola likely would take only around 608 cars off the road. The gondola is thus unlikely to significantly reduce greenhouse gas emissions and traffic overall.”

Therefore, the DEIR’s analysis of the project’s environmental impacts are inadequate. The Gondola’s Ridership Model must be validated and calibrated to ensure accurate VMT and GHG results.

**6. The DEIR’s Greenhouse Gas (GHG) Conclusions Are Invalid.**

Analysis of GHG emissions is essential under CEQA. Therefore, even seemingly small additions of GHG emissions into the atmosphere must be considered cumulatively considerable. The DEIR concludes that the Project would result in less-than-significant impacts related to GHG emissions. However, as detailed above, the DEIR presents an incomplete analysis of the Project, which results in a flawed GHG analysis.

Appendix N-6, provides: “4.13 Parking and Land Use Management: This policy states that excessive parking can incentivize undesirable behavior or result in large areas of vacant land that make it harder to reach destinations without a vehicle. The Project will not provide any dedicated vehicle parking. The proposed Project would utilize existing off-street parking facilities with available capacity as identified in a future parking management plan, which would also identify strategies for the City of Los Angeles to implement to minimize riders of the proposed Project parking in undesirable locations.”

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P700-54

P700-55

Since there is parking near the Gondola stop at Union Station, the Project does not provide any additional parking. Yet it is presumed that Gondola riders will use the over 10,000 spaces in publicly available lots and garages and in on-street spaces in order to be able to ride the Gondola. The environmental analysis is silent as to the incentivizing of people to drive to the Gondola to avoid parking at Dodger Stadium, which would *increase* VMT and GHG emissions.

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P700-55

The DEIR's traffic and GHG analyses are flawed on multiple grounds, including lack of substantial (or any) evidence to support various critical assumptions and conclusions. The DEIR should be corrected and recirculated to address each of these flaws and omissions.

#### **7. Ridership Queueing After Dodger Games Is Inadequately Analyzed.**

Appendix N, Page 20, indicates: "It is estimated that 6,000 game attendees (12,000 trips for round-trip) would ride the proposed Project in 2026 and 10,000 game attendees (20,000 trips for round-trip) would ride the proposed Project in 2042 per game, reaching the estimated capacity of the system."

Additionally, "the travel time from LAUS to Dodger Stadium would be approximately seven minutes. The cabins would move at a maximum speed of 13.4 miles per hour with headways of approximately 23 seconds, which represents the time between cabins." (DEIR, Page 2-42)

P700-56

Based on this information, it can be estimated that a cabin on the Gondola cable every 200 ft<sup>25</sup>, travelling a speed of 13.4 mph would have the following queuing time:

- a) 6,000 game day riders in 2026 (1hr 12 minutes)
- b) 10,000 game day riders in 2042 (2 hours)

<sup>25</sup> It is anticipated that the proposed Project operations would vary the number of cabins in service and speed throughout the day, based on demand. (DEIR Page 2-42.)

The DEIR does not address the post-game queueing for Gondola rides. Waiting one hour and twelve minutes (2026) to catch a Gondola ride after a night Dodger game is unrealistic. Waiting two hours (2042) to get on the Gondola is even more unrealistic. As such, it is disingenuous to state any VMT or GHG benefits from increasing ridership because those numbers are not realistic or justified. Please confirm no VMT or GHG reduction benefits are attributed based on inflated and erroneous ridership postgame numbers.

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P700-56

**8. The DEIR Is Flawed And Incomplete For Failing To Disclose And Address Caltrans Encroachment Permit Issues and Requirements.**

The DEIR is silent and ignores any direct or indirect impacts (visual, safety, traffic, construction traffic management, etc.) from Gondolas crossing over SR-110 near Dodger Stadium. As a result, the DEIR also ignores disclosing and analyzing any potential mitigation measures that must be implemented. This crucial final segment of the proposed Gondola system connecting to Dodger Stadium must be analyzed and evaluated for impacts. The DEIR seems to assume that Caltrans will simply provide an encroachment.

P700-57

In general, Caltrans must identify and keep the highways free of encroachments. Jamison v. Dept. of Transportation (2016) 4 Cal.App.5th 356, 363. An “encroachment” includes “any tower, pole, pole line . . . or any structure . . . which is in, under, or over any portion of the highway.” (Sts. & Hy. Code § 660.) The California Legislature has determined that Caltrans’ obligations to care for and protect the state highways “shall apply to all private corporations authorized by law to establish or maintain any works or facilities in, under or over any public highway.” (Sts. & Hy. Code § 661.)

Any encroachment permits issued by Caltrans “may provide such other conditions as to the location and the manner in which the work is to be done as the department finds necessary for the protection of the highway.” (Sts. & Hy. Code § 672; see also La Canada Flintridge Dev. Corp. v. Dept. of Transportation (1985) 166 Cal.App.3d 206, 213-215.)

It simply is not adequate for the DEIR to defer consideration of potential impacts to the state highway and its traveling public for consideration at the traffic encroachment stage because “Caltrans requires that an approved environmental document accompany the ‘Standard Encroachment Permit Application’ (form TR-0100). All required documentation, including environmental, must accompany the encroachment permit application before Caltrans deems the application complete.” (Caltrans 2018 Encroachment Permits Manual, Pages 4-1 and 4-2; <https://dot.ca.gov/programs/traffic-operations/ep/ep-manual>)

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P700-57

Additionally, “No new information can be required from an applicant once the application form with its accompanying documentation has been accepted as complete. However, the applicant can be asked to clarify, correct, or otherwise supplement the information submitted.” (Id.)

Therefore, the DEIR does not address potential impacts, nor mitigation, within Caltrans’ right-of-way with regard to the Gondolas traveling over SR-110. Evaluating potential impacts and mitigation after completion of the DEIR is inadequate and a failure to proceed in the manner required by law. The DEIR should be corrected and recirculated to address each of these flaws and omissions.

**C. The DEIR Does Not Evaluate or Specifically Mitigate the Impact of Project Construction on Biking.**

There is one impact that the DEIR has treated only nominally. Guidelines Section 15064.3(a) provides that “[g]enerally, vehicle miles traveled is the most appropriate measure of transportation impacts. However, it also provides that “[o]ther relevant considerations may include the effects of the project on transit and *non-motorized travel*.” (Emphasis added.) The most common forms of non-motorized travel are walking and biking. Here, the DEIR does not analyze or effectively mitigate the potential impacts of construction of the Gondola Project on the proposed Esplanade bike path that is planned as part of Metro’s LAUS Forecourt and Esplanade Improvements. (DEIR, p. 3.9-32.)

P700-58

The DEIR identifies the points during construction when the Esplanade bike path would be closed (DEIR, pp. 3.17-35 to 3.17-36 [30 weeks full and partial closures]), and other points when bicycle traffic would be “controlled.” (DEIR, p. 3.9-33, 3.11-24, 3.17-46.) No description of the nature or level of “control” is given. There is no analysis of the impact on use of the bike path during these closures and “control” periods, and no mitigation is offered except for bikers to use a pedestrian detour (DEIR, p. 3.9-36), which has a potential impact on safety to both. The DEIR should be recirculated to provide a full analysis of the effects of Project construction on bicycle transportation, especially on the planned Esplanade bike path.

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P700-58

**D. Mitigation for the Significant Hazard of Drivers Striking Pedestrians Because Project Features Obscure Their View Is Ineffective, Lacks Performance Standards, and Places Responsibility for Mitigation on Drivers, Not the Project.**

Because the stations and hugely tall towers require so much ground space for their foundations and structures, the proposed Project will create visual blockages that prevent drivers of cars and trucks from seeing pedestrians at various points. Among these points of blocked visibility are the Alameda Tower and the Chinatown/State Historic Park Station. (DEIR, p. ES-72.)

The DEIR proposes mitigation for this significant impact, denominating such mitigation as “visibility enhancement . . . sufficient to alert drivers to the presence of pedestrians.” (Id.) The DEIR makes it plain that the size and location of the stations themselves will not be changed to protect pedestrians, but that mitigation will be provided to help drivers become aware of pedestrians, with the responsibility for avoiding the pedestrians then resting upon the drivers. The existing roadways and traffic flow, we are told, must adapt to ensure that Gondola construction and operation do not cause pedestrian injuries or fatalities, rather than the size or location of Gondola facilities adapting.

P700-59

The DEIR proposes Mitigation Measure TRA A to carry out this “visibility enhancement.” (DEIR, p. 3.17-67.) As previously noted, this mitigation measures is an example of improper deferral of mitigation. Like

the mitigation discussed above, this measure does not meet the requirements of Guidelines Section 15126.4(a)(1)(B), in that it is deferred without Metro specifying definite performance standards, and Guidelines Section 15126(a)(2), in that no specific measure is “fully enforceable through permit conditions, agreements, or other legally binding instruments.” Instead, the DEIR provides a laundry list of possible visibility enhancements, including “high visibility crosswalk treatments, advanced crossing warning signs, flashing beacons, upgraded lighting, and new or upgraded traffic controls, such as traffic signals and all-way stops and right turn on red restrictions and channelization of pedestrians to marked crosswalk locations via fencing.” (DEIR, p. 3.17-67.) However, no performance standards for TRA A are given other than approval by the City of Los Angeles Department of Transportation (LADOT). (*Id.*) The mitigation is deferred in that it must only be completed prior to operation of the Gondola. (*Id.*)

Where specific mitigation measures are required, their efficacy rests on the assumption of full compliance by motorists with all traffic laws. For example, the DEIR assumes that a visibility hazard at the Alameda Tower will be fully mitigated by banning right turns on a red light there (DEIR, p. 3.17-41); however, common experience shows that Los Angeles drivers do not always obey such restrictions. Similarly, a potential hazard at the Broadway Junction is dismissed by the DEIR on grounds that, if drivers obey the speed limit, they will see the traffic signal at issue in time to stop, thereby avoiding any pedestrian collisions. (DEIR, p. 3.17-42 to 3.18-43.) Again, common experience shows that Los Angeles drivers do not always obey speed limits, and there is no substantial evidence that they will always do so at the Broadway Junction.

The DEIR assigns responsibility for avoiding the pedestrian hazards the proposed Project will create to drivers, rather than requiring the incorporation into the Project design of physical mitigation measures that will prevent the hazards without assuming perfect compliance by all drivers with traffic laws. CEQA, on the other hand, assigns the responsibility for mitigating all significant impacts to the project proponent, a responsibility Metro has not carried here. There is a lack of substantial evidence that TRA A will successfully mitigate Project hazards.

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P700-59

Finally, TRA A flouts CEQA’s basic requirement of full public disclosure. (Pub. Res. Code § 21061; Guidelines § 15003(c) and (d).) The DEIR does not fully disclose what mitigation measures will be required at which location, nor is the process of approval of these measures by LADOT ensured to be open to public scrutiny and comment; the reverse is likely.

P700-60

As a result, the DEIR violates CEQA on these additional grounds. Because hazard impacts are not fully mitigated, hazard impacts must be identified as significant in the DEIR and the DEIR recirculated for public review and comment.

P700-61

**XII. THE DEIR FURTHER VIOLATES CEQA BY FAILING TO PROPERLY OR FAIRLY PRESENT AND ANALYZE ALTERNATIVES.**

As our Supreme Court has repeatedly held, the “EIR is the heart of CEQA, and the mitigation and alternatives discussion forms the core of the EIR.” *In re Bay–Delta cases* (2008) 43 Cal.4th 1143, 1162. Here, the DEIR further fails because it did not consider a reasonable range of alternatives, as required by CEQA.

In Public Resources Code Section 21002, CEQA forbids approval of projects with significant environmental impacts “if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects.” Section 15126.6(a) of the Guidelines mandates that agencies may not artificially constrict their consideration of alternatives. They must consider alternatives that can “attain most of the basic objectives of the project but would avoid or substantially lessen any significant effects of the project.”

P700-62

The importance of the consideration of alternatives to the proposed project was emphasized by our Supreme Court in *Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564, which held that “[t]he core of the EIR is the mitigation and alternatives section.” (Emphasis added.) The Guidelines prescribe that a “reasonable range” of alternatives must be considered, “even if those alternatives would impede to some degree that attainment of the project objectives or would be more costly.” Guidelines §

15126.6(b). Both the “no project” alternative and any alternatives rejected during the DEIR development must be examined.

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P700-62

**A. The DEIR Presents False Alternatives And Biased Project Objectives That Artificially Favor the Gondola.**

Here, the Alternatives section fails in two ways. First, it fails to propose a reasonable range of alternatives. The DEIR seriously considers only the alternatives that are mandated in the Guidelines (the no-project alternative and alternatives discarded during EIR development), the Spring Street Alternative, and the so-called Transportation Management System (TSM) alternative. This letter will refer to this alternative as the Express Bus service, since it basically consists of expanded Dodger Express Bus service between Union Station and Dodger Stadium.

P700-63

The DEIR’s second violation of CEQA and the Guidelines is that the list of Project objectives by which it evaluates the alternatives is carefully and heavily slanted to favor the proposed Gondola. For example, the objectives include providing passengers with scenic airborne views, which cannot be attained by any alternative to the Gondola. (Project Objectives 2 and 7, DEIR, p. 4-5 to 4-8), and listing the use of a gondola as a project objective in and of itself, one that no non-gondola alternative could achieve. (Objective 8, DEIR, p. 4-7.)

P700-64

Third and most important, the DEIR fails to develop the Express Bus expanded bus service alternative fully and accurately, so that it might be fairly evaluated. This alternative would avoid *every* significant environmental impact of the proposed Project, could be carried out quickly and with minimal construction, thereby avoiding all the lane closures, detours, and disruption that years of station and tower construction would cause, and would deliver almost every benefit expected from the Gondola.

P700-65

The DEIR deliberately downplays the feasibility of the Express Bus alternative and its ability to avoid every significant impact of the Gondola Project while meeting almost every objective set out in the DEIR except the views and “unique experience” of the gondola and the increased connectivity with the State Historic Park and its surrounding neighborhood. The

Guidelines explicitly provide that an EIR must “focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project *even if these alternatives would impede to some degree the attainment of the project objective, or would be more costly.*” Guidelines § 15126.4(b) (emphasis added).

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P700-65

**B. The Spring Street Alternative Fails to Meet the Requirements of CEQA and Should Be Removed From the DEIR.**

As noted by the Court in Save Our Capitol:

Meaningful analysis of alternatives in an EIR requires an analysis of meaningful alternatives. The purpose of an EIR “is *not* to identify alleged alternatives that meet few if any of the project’s objectives so that these alleged alternatives may be readily eliminated. . . . [T]he key to the selection of the range of alternatives is to identify alternatives that meet most of the project’s objectives but have a reduced level of environmental impacts.” (Watsonville Pilots Assn. v. City of Watsonville (2010) 183 Cal.App.4th 1059, 1089, 108 Cal.Rptr.3d 577.)

P700-66

The Spring Street Alternatives fails to comply with this mandate. It is not a meaningful alternative. As detailed in DEIR Table 4-1: Alternatives Conformance with Objectives, the Spring Street Alignment Alternative meets all of the Project Objectives. However, the Spring Street Alternative would impact a greater area with the State Historic Park, and as detailed in DEIR Table 4-3: Alternative Impact Comparison, the Spring Street Alignment Alternative does not reduce any of the Project impacts. This alternative thus fails to meet the basic purpose of an alternative, “to meet most of the project’s objectives but have a reduced level of environmental impacts.” It should therefore be eliminated from the DEIR as it serves only as a straw man.

**C. The Existing Express Bus Service to Dodger Stadium is a Feasible Alternative, and Would Avoid All Adverse Impacts of the Gondola.**

The Express Bus alternative is identified by the DEIR as, along with the No Project alternative, the Superior Alternative. (DEIR, p. 4-75.) The DEIR states “both the No Project alternative and TSM [Express Bus] Alternative would not result in significant unavoidable impacts to any environmental considerations” (DEIR, p.4-74), a convoluted way of saying that the Express Bus alternative has no significant environmental impacts. The Express Bus avoids the Project’s construction impacts, which are the only significant impacts the DEIR acknowledges, and would avoid countless other impacts that the Project would cause, as discussed in this and other comment letters. As detailed below, it would also fulfill almost all of the Project’s objectives. Accordingly, Express Bus is superior to the Project, and should be adopted by Metro.

Express Bus service would take cars and their pollutant emissions off the road, although the DEIR does not bother to calculate how much pollution the Express Bus could eliminate. If the buses were upgraded to operate on electricity, the Express Bus alternative would also be zero-GHG emissions. Such buses would reduce air pollution in one of the nation’s most heavily polluted urban areas. (DEIR, p. 3.3-2.)

Although the Express Bus fleet might add to existing traffic, the DEIR ignores the obvious mitigation for this possibility of extending the existing bus-only lane on Sunset up Vin Scully Avenue and into the parking lots, thereby mitigating any congestion impacts, and making the lane reversible to prevent post-game/event congestion. The DEIR fails in its duty to examine feasible alternatives by failing to fairly and fully present the Express Bus alternative, thereby attempting to tip the scales to favor the Project. This is a violation of CEQA.

The DEIR at pp. 4-59 to 4-62 acknowledges that it is feasible to carry out the Express Bus (TSM) alternative. As Metro carefully structures this alternative, the Dodger Express bus fleet would expand to 77 buses from the current 7 to 11 buses, in order to be able to transport the same number of

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passengers as the Gondola is projected to carry (assuming the Gondola works as expected). (DEIR, p. 4-71.) The DEIR does not state, let alone prove, that this expansion would be infeasible. The DEIR makes no comparison between the cost of expanding the Express Bus service and the underestimated \$125 million price tag of the Gondola.<sup>26</sup> Expanded Express Bus service may well be cheaper, as well as a transportation method proven by years of local experience.

The DEIR states that this expanded bus fleet would require moving the bus loading/unloading area to a nearby Metro property and reconfiguring some parts of Union Station and the immediately surrounding streets. (DEIR, p. 4-61.) However, the DEIR does not show that this is infeasible, only inconvenient. Given the number and months (in one or two cases, years) of lane closure and the resulting traffic diversion and congestion that the Gondola would cause (see, e.g., DEIR at 3.9-32 through 3.9-43), the expanded Express Bus service alternative is far more feasible and far less disruptive to Los Angeles residents. It would also confer the benefit on Metro that the expanded bus fleet would be available to provide zero-emission service on other routes on non-game, non-event days (about 265 days per year [DEIR p. 2-10]). It would also provide Metro with a much needed opportunity to capture new fares that would benefit the entire Metro public transit system and Los Angeles residents more broadly. (See January 8, 2023 Wall Street Journal article, “Public Transit Goes Off the Rails With Fewer Riders, Dwindling Cash, Rising Crime”, p. 1, at [https://www.wsj.com/articles/subway-mta-bart-public-transit-new-york-boston-san-francisco-11673198418?mod=hp\\_lead\\_pos7](https://www.wsj.com/articles/subway-mta-bart-public-transit-new-york-boston-san-francisco-11673198418?mod=hp_lead_pos7).)

By failing to fairly and fully present the Express Bus alternative – an alternative that is feasible, environmentally superior, majority-Project-goal fulfilling *and* public revenue generating – the DEIR violates CEQA.

<sup>26</sup> The \$125 million price tag does not include the price of a land lease at Union Station or the cost of acquiring land at Dodger Stadium. (ARTT Response to Metro’s Request for Information at p. 45.) The real cost of the proposed Project would be higher than the initial estimate, probably much higher.

Guidelines Section 15126.6(b) requires reasoned consideration of alternatives that do not meet every objective of a project’s proposer, or that increase costs. Here, the DEIR admits that the Express Bus alternative will meet or moderately meet Project Objective 3 (Provide efficient, high-quality transit from LAUS to Dodger Stadium [DEIR, p. 4-5]), Project Objective 4 (Enhance the safety of neighborhoods around Dodger Stadium by lessening the number of cars driving to and from Stadium games and events [DEIR, p. 4-6]), Project Objective 5 (Reduce transportation related pollution and GHG emissions [DEIR, p. 4-6]), Project Objective 6 (Increase connectivity to the region’s public transportation hub [DEIR, p. 4-6]), Project Objective 11 (Minimize the project’s environmental footprint [DEIR, p. 4-7]), and Project Objective 12 (Provide a sustainable form of transit [DEIR, p. 4-8]). Project Objective 13, relating to ART alignments, is not relevant to the Express Bus service. (DEIR, p. 4-8.)

While the Express Bus alternative would not meet Project Objectives 2 (Attract new transit riders to the Metro system through use of a gondola) and 7 (Improve transit rider experience by providing unique scenic views), these are self-serving, circular Objectives that favor the Gondola. The DEIR’s claim that expanded Express Bus service would not meet Project Objective 1 (Expand mobility options for transit riders) is not supported by any experience, only by speculation that a new mode of transit – the Gondola Project – is the only way to bring in an unquantified number of new riders to Metro. Given the success of the current Express Bus service (DEIR, pp. 4-59 to 4-60), such speculation is unfounded. Express bus service works.

Further, the DEIR has deliberately set up the Express Bus alternative for failure by designing it so that the buses would use compressed natural gas as fuel, instead of zero-polluting electricity. Positing the use of natural gas ensures continued pollutant emissions, while use of electric buses would eliminate them. Again, the DEIR has chosen to present the Express Bus alternative in a way that makes this alternative fail to achieve important Project Objectives. The public and decision makers cannot know how long the Gondola’s novelty will draw riders out of their cars, thereby reducing emissions of conventional pollutants and GHGs. In contrast, the Express Bus service has a proven track record, which could only be improved by an expanded and electric-powered bus fleet.

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In addition, Metro currently operates a large number of Express buses that run from various outlying areas to downtown Los Angeles and other destinations, but that do not service Dodger Stadium. (DEIR, p. 3.17-13.) Some or all of these existing Express bus routes that service downtown Los Angeles could be modified to add Dodger Stadium as an additional or final stop on game or event days. This would allow them to bypass the crush at Union Station that the DEIR posits would result from increased Express Bus service. (DEIR, p. 4-60 to 4-61.) By ignoring this obvious opportunity, the DEIR again handicaps the Express Bus service in its comparison with the Gondola.

The DEIR should be revised and recirculated to make a fair comparison of the Gondola to expanded, electric Express Bus service as an alternative to the Gondola. Alternatively, the expanded, electric Express Bus service, including service from outlying areas, should be explored as an Alternative and compared to the Gondola.

Fairly considered, the TSM (Express Bus) alternative meets every non-Gondola-biased Project Objective except those dealing with enhancing transit connectivity for the State Historic Park and Elysian Park, and even these Objectives could be partially met if Metro simply set up transit hubs at these locations, something it does not need the Gondola to do.

As an alternative that eliminates the Project's environmental harm by not requiring the construction that produces the harm, that meets most of the Project's unbiased objectives, and that meets them with far less damage to the City's transportation systems than what will be caused by Project construction, the Express Bus alternative fulfills all the legal requirements for a viable alternative. Should Metro choose the Gondola as the project it approves, it must make the findings required by Public Resources Code Section 21081(a)(1), must justify rejecting the Express Bus alternative (per Public Resources Code Section 21002), including the Express Bus with the expansions proposed in this letter, and may need to adopt a Statement of Overriding Considerations, as required by Public Resources Codes Section 21081(b). All of these findings must be supported by substantial evidence in the record. The DEIR as it now stands cannot provide this evidence.

The DEIR must be revised and recirculated to fairly present and fairly consider the Express Bus alternative, expanded and powered by electricity, as an alternative.

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P700-67

**XIII. THE DEIR FURTHER VIOLATES CEQA BY ITS  
INAPPROPRIATE TREATMENT OF DESIGN OPTIONS.**

The way the Design Options are placed in the DEIR implies that they are not alternatives or significant changes in the Project Description, since they come after both those sections, and calling them “Design Options” minimizes their potential importance. The term “Design Options” makes them sound like they are variants in the appearance, external finishes, or other features that are normally called “design,” not changes in location or 25% increase in height. This is a failure of information. The DEIRs inclusion and treatment of “Design Options” has invalidated both the Project Description and Alternatives discussions in the DEIR, and represents an additional fatal flaw in the DEIR.

The Project sponsor and DEIR preparers are attempting to have it both ways, by providing a Project Description, but leaving room for the Project to revert to an earlier, pre-stakeholder-comments version of the Project, without actually including these project options in either an analysis of the Project or an analysis of a fully defined alternative. In this way, the DEIR piecemeals the analysis of a potential project.

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At the very least, the DEIR should analyze a project which includes the impact-maximizing combination of design options, to identify the maximum potential project impacts. The DEIR can then use the design options to define a series of impact-reducing alternatives, and as part of the alternative’s analysis make clear the package of mitigation measures that appropriately apply to each alternative. Decision-makers would thus be provided with the information they would need to select the Alternative with the best impact-reducing combination of design options, or would actually be able to understand the environmental consequences of picking a particular combination of design options, as each possible combination would represent a discrete alternative. Currently, as written, the design options represent a

red-herring that only serve to confuse the reader about the likely impacts of the Project and the likely alternatives under consideration. This is unacceptable under CEQA.

**XIV. THE DEIR FURTHER VIOLATES CEQA BY ITS FAILURE TO ADEQUATELY ANALYZE GROWTH INDUCING IMPACTS.**

The proposed Project constitutes the construction of a new fixed-route transit system and expansion of fixed-route transit into an area, the Dodger Stadium property, currently not directly served by transit, except on game days. Currently the closest, non-game-day transit is the Number 4 bus, and the closest transit stop to the Stadium property is at Sunset Boulevard and Vin Scully Avenue. The Project thus constitutes an extension of service between the Union Station and Chinatown areas directly onto the Dodger Stadium property.

As discussed more fully above, the Project is not included in the City's Mobility Plan 2035 or in the Transportation System Project List used in preparing the Regional Transportation Plan (Connect SoCal 2020 or the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy). The Project thus removes an obstacle to population growth in the Dodger Stadium area in a way that is not consistent with existing land use plans. It therefore is not growth-accommodating. Rather, it is potentially growth-inducing and thus a robust analysis of likely growth-inducement is required in a recirculated DEIR, including in accordance with Guidelines Section 15126.2(d).

The analysis of growth-inducing impacts currently in the DEIR reads like a publicity piece for the proposed Project. The analysis also relies, as a way of avoiding analysis of growth-inducing impacts, on the statement that should "any future development occur in the surrounding proposed Project area, as discussed in Section 3.11, Land Use and Planning, such development would be subject to additional environmental analysis under CEQA, and would be required to comply with City of Los Angeles Community Plan

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P700-68

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policies encouraging development near transit stations and corridors.”<sup>27</sup> The CEQA mandate to address growth-inducement cannot be avoided in this way.

The proposed Project is a private transit system that would extend access to the Dodger Stadium area. As discussed earlier in this letter there are good existing available transit options from the Union Station area to Chinatown. The only area not well served by transit, except on game days, is the Dodger Stadium area.

Given the existing competing transit options for travel between the Union Station area and Chinatown, the Project system will likely largely need to depend on fares to Dodger Stadium to support the system. Given that it has been announced that the fares, for game ticket holders who are projected to be the primary users of the Project<sup>28</sup> will likely be zero, as previously documented in this letter, some source of revenue will be needed to keep this capital-intensive system in operation. Given that such a source has not been disclosed, it is reasonable to assume that additional fare-paying ridership would thus be required to make the system financially viable and that the Project is intended to foster development in the Dodger Stadium area to generate riders, and thus to be growth-inducing. As has been noted by commentators in the link provided above:

the proposed gondola would be the first step in an entirely new system – a literal ticket to nowhere for approximately 280 days a year. If the goal is to use this project as a backdoor to creating a new neighborhood in the vicinity of Dodger Stadium, **like the one in Atlanta or the one being proposed in Kansas City, the backers of this project need to have the intellectual honesty to say so.**

The DEIR thus needs to analyze the likely growth-inducing impacts of the Project, including its potential to foster growth in the Dodger Stadium

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P700-69

<sup>27</sup> DEIR page 5-60.

<sup>28</sup> See DEIR Table 3.17-4 reproduced earlier in this letter.

area. In addition, the DEIR needs to disclose any intended development Plans for the Dodger Stadium vicinity, and to address those Plans in a recirculated DEIR, as failure to do so constitutes improper piecemealing or project-splitting under CEQA.

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P700-69

**THE SILVERSTEIN LAW FIRM**

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January 17, 2023

**VIA EMAIL LAART@metro.net; zelmerc@metro.net**

Cory Zelmer, Deputy Executive Officer  
Los Angeles County Metropolitan Transportation Authority  
One Gateway Plaza, Mail Stop 99-22-6  
Los Angeles, CA 90012

Re: Comments on Draft EIR for Los Angeles Aerial Rapid Transit project (LA ART), SCH # 2020100007

Dear Mr. Zelmer:

This firm represents S&R Partners, LLC, a Riboli Family company. The family has been a stakeholder in the immediate vicinity of the proposed Los Angeles Aerial Rapid Transit project (Gondola Project or Project) for more than a century since the founding of the San Antonio Winery in 1917. The family is proud to be a multi-generational contributor to the local and regional economy in Los Angeles. The family is a proud employer of hundreds of local residents, and participates philanthropically and civically with leading community-based nonprofit organizations. The family members who run the business were raised in the community within walking distance to the Historic State Park, Chinatown, Solano Canyon, and Lincoln Heights.

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Please keep this office on the list of interested persons to receive timely advance notice of all hearings, votes and determinations related to the proposed Los Angeles Aerial Rapid Transit project (Project), its DEIR and requested entitlements.

Pursuant to Public Resources Code Section 21167(f), please provide a copy of each and every Notice of Determination issued in connection with the Project.

**A. The Proposed Project's Location on Public and Private Properties.**

According to the DEIR, the Project's stations and towers would range in height from 78 to 195 feet high. The cable for the gondolas would be suspended as high as 175 feet above the ground, and:

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- Alameda Station - would be located on Alameda Street adjacent to the planned LAUS Forecourt and Placita de Dolores between Los Angeles



Street and Cesar Chavez Avenue. The station would be approximately 173 feet long, 109 feet wide, and 78 feet high at its tallest point, with the passenger loading platform approximately 31 feet above Alameda Street.

- Alameda Tower - would be 195 feet tall with the cable suspended 175 feet above-ground.
- Alpine Tower - would be 195 feet tall at its tallest point, with the cable suspended 175 feet above ground.
- China Town/State Park Station - would be approximately 200 feet long, 80 feet wide, and 98 feet tall at its tallest point, with the passenger boarding platform approximately 50 feet above-grade.
- Broadway Junction – this non-passenger junction would be approximately 227 feet long, 60 feet wide, and 98 feet high at its tallest point, with the platform approximately 50 feet above the ground.
- The Stadium Tower - would stand 179 feet tall with the cable suspended 159 feet above-ground.
- The Dodger Stadium Station – would be approximately 194 feet long, 80 feet wide, and 74 feet high at its tallest point.

With the exception of its terminus at Dodger Stadium, the Project’s stations and towers would be constructed on public land, and the gondolas would pass over both public and private property. As noted on DEIR pages ES4-ES8:

- The proposed Alameda Station would be constructed over Alameda Street between Los Angeles Street and Cesar Chavez Avenue, adjacent to the Placita de Dolores and planned LAUS Forecourt.
- Alameda Tower would be constructed on the Alameda Triangle, a portion of City Right of Way (ROW) between Alameda Street, North Main Street, and Alhambra Street.
- The proposed Alpine Tower would be constructed at the corner of Alameda Street and Alpine Street on city-owned property.

- The proposed Chinatown/State Park Station would be constructed partially on City ROW and partially within the boundaries of the Los Angeles State Historic Park.
- The Broadway Junction would be located at the northern corner of the intersection of North Broadway and Bishops Road (1201 North Broadway) on primarily privately-owned property.
- The proposed Stadium Tower would be located on hillside private property north of Stadium Way between the Downtown Gate entrance road to Dodger Stadium and SR-110.
- The northern terminus of the system would be located in a parking lot at the Dodger Stadium property, where the proposed Dodger Stadium Station would be constructed.

According to the DEIR, the alignment travels over City of Los Angeles right of way, City-owned Property, Metro Property, Caltrans Property, California State Parks Property, and Private Property, as shown in the following Figure reproduced from DEIR Appendix Q. A map should also be provided and coded to show the location of both the public and private land within the full Area of Potential Impact (API) as shown in DEIR Figure 3.1.1. The Project thus involves the use of public land – and the presumed forced taking of private land, not discussed in the DEIR – by a private Project sponsor.<sup>1</sup> DEIR Appendix Q also indicates that the Project requires the acquisition of American National Standards Institute (ANSI) required aerial rights<sup>2</sup> over the following properties, something not disclosed in the Project Description in the body of the DEIR:

- 1028 N. Alameda St.
- 903 N. Main St.
- 901 N. Main St.
- 1251 N. Spring St.
- 1201 N. Broadway
- 455 Savoy St.
- 451 Savoy St.
- 1800 Stadium Way

<sup>1</sup> DEIR page ES-1.

<sup>2</sup> ANSI Standard B77.1 regulates vertical and horizontal clearances between the ropeway and cabins to elements such as vehicle, pedestrians, vegetation, buildings, and other structures.



**Land Ownership Along the Project Alignment**  
Source: DEIR Appendix Q

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P701-2

**B. The DEIR’s Lack of Clarity on the Issue of Eminent Domain.**

The DEIR needs to specify if Metro contends that it has the power of eminent domain for use in furtherance of the Project. If yes, then the DEIR should identify the specific statutory bases, if any, that would allow it to exercise the power of eminent domain for the Project.

The DEIR also needs to include a map, keyed to document the mechanisms which would be used within the API, to allow private use of public lands. For example, DEIR pp. 2-81 to 2-82 appears to indicate that in the case of the City of Los Angeles, this would be accomplished via a franchise agreement and a 20-year Development Agreement.

The proposed franchise agreement and Development Agreement must be made available concurrently with a recirculated DEIR.

In addition, the DEIR should inform the public what the proposed mechanism is for acquisition of aerial rights and the associated permitting agency(s). In the absence of clear information regarding the mechanism for allowing private use of public lands, and for acquiring aerial rights over private lands particularly if forcibly taken through eminent domain, the Project description is deficient.

As noted in the Historic Resources Technical Report included in Appendix G of the DEIR, there are 12 previously-identified historical resources within the proposed Project’s API. Two of the historical resources are historic districts with contributing resources located within the API. In addition, the historic resource consultants identified the *El Grito* mural as eligible for listing in the National Register of Historic Places (National Register).

The next Figure, reproduced from DEIR Appendix G, shows the Project alignment and API defined for purposes of analyzing the historic resource impacts of the Project.

P701-3

P701-4

P701-5

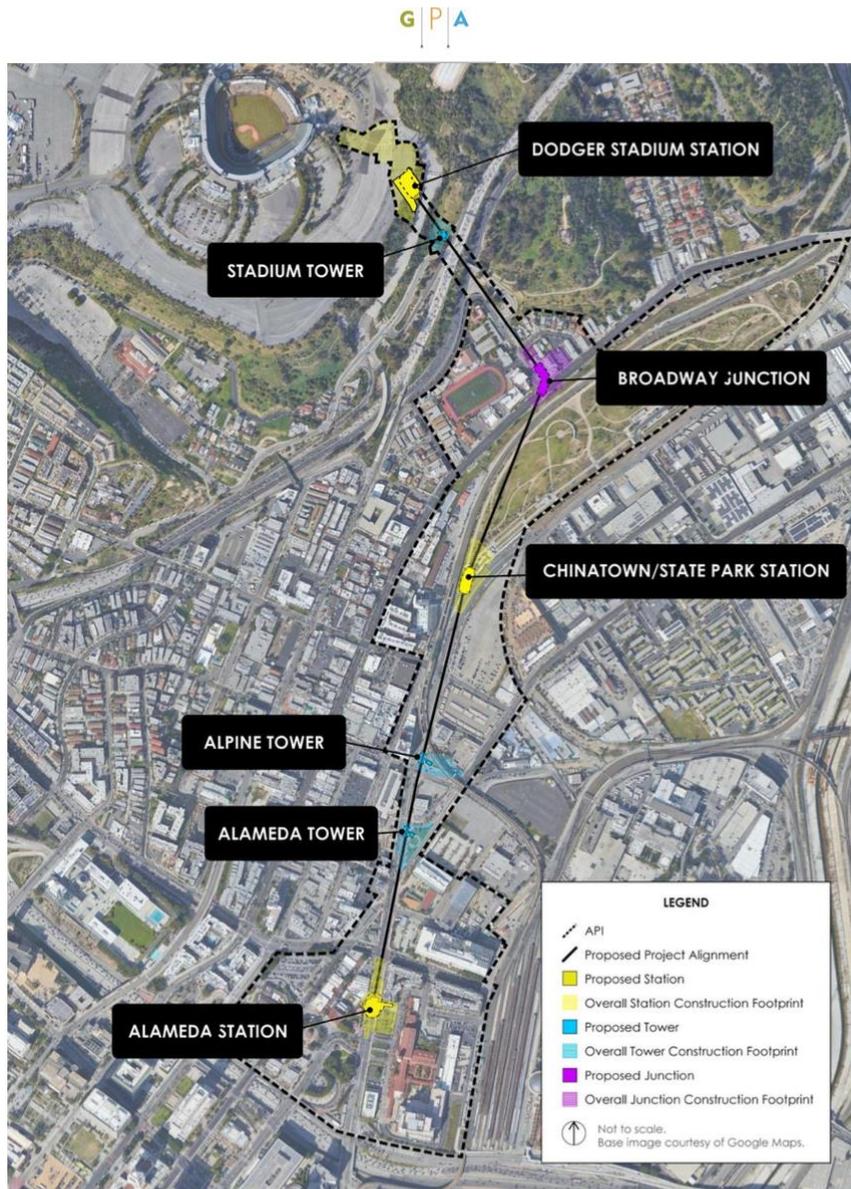


Figure 3: Area of Potential Impact (API). Base image courtesy of Google Maps.

**Project Alignment and Area of Potential Impact**  
**Source: DEIR Appendix G**

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P701-5

The historic resources within the API identified in DEIR Appendix G include:<sup>3</sup>

1. Los Angeles Union Station Passenger Terminal and Grounds
  - 1A. Macy Street Grade Separation
  
2. Los Angeles Plaza Historic District 2A. Garnier Block
  - 2B. Sanchez Building
  - 2C. Old Plaza Fire House
  - 2D. Hellman-Quon Building
  - 2E. Masonic Hall (Masonic Building)
  - 2F. Merced Theatre
  - 2G. Pico House (Pico Hotel)
  - 2H. Vickrey-Brunswig Building
  - 2I. Plaza House
  - 2J. Plaza (Plaza Area, Plaza Park)
  - 2K. Old Plaza Church (Nuestra Señora Reina de Los Angeles Church [Our Lady Queen of the Angels])
  - 2L. Plaza Community Center (Biscailuz Building)
  - 2M. Plaza Methodist Church
  - 2N. Plaza Substation
  - 2O. Avila Adobe
  - 2P. The Winery
  - 2Q. Machine Shop
  - 2R. Sepulveda House
  - 2S. Pelanconi House
  - 2T. Hammel Building
  - 2U. Italian Hall
  
3. El Grito (The Cry) Mural
4. Los Angeles Terminal Annex Post Office
5. Philippe the Original
6. Granite Block Paving
7. Capitol Milling Company
8. 1035 N. Broadway
9. St. Peter's Italian Catholic Church
10. Cathedral High School
11. 451 E. Savoy Street
12. Charles B. Wellman Residence

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P701-5

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FN P701-5<sup>3</sup> DEIR Appendix G, page 17.

13. Arroyo Seco Parkway Historic District

DEIR page ES-9 indicates that construction of Broadway Junction requires the demolition of the existing commercial building located at 1201 N. Broadway. Does the Project sponsor own this building, or must it be acquired? If it must be acquired, what is the mechanism of acquisition? In the absence of this information, the Project description is again deficient.

C. **Eminent Domain Concerns and Questions.**

Although the DEIR does not explicitly reference Metro’s use of eminent domain, a hidden assumption within the DEIR and Project description is Metro’s supposed ability to exercise the power of eminent domain against private property owners for the benefit and advantage of LA ART, the private Project proponent. The DEIR fails as a legal document on this ground.

Although LA ART in response to comments it provided to Metro suggests Metro has the power of eminent domain to forcibly take the private property rights of other parties in furtherance of the Project, the stated statutory “rationale” as supplied by LA ART to Metro was based on Public Utilities Code provisions. (**Exhibit 1** [LA ART Phase II Request for Additional Detailed Information, p. 9].)

However, those cited sections (PUC §§ 130252 and 130254) do not clearly provide Metro with the power of eminent domain for a project such as the Project, which throughout the DEIR and public record concerning the Project has unambiguously been described as being privately funded, privately operated and privately owned. Indeed, contrary to LA ART’s assertions and the DEIR’s assumptions regarding Metro’s alleged ability to use eminent domain for the Project, PUC Section 130521 provides:

The commission may acquire by deed, purchase, lease, contract, gift, devise, or otherwise, any real or personal property, structures, rights, rights-of-way, franchises, easements, air, land, and development rights, and other interests in lands located within this state necessary or convenient for the construction or operation of a project, upon terms and conditions it deems advisable, and to lease, develop, jointly develop, maintain, operate, or dispose of any property, right, or interest in the manner that is necessary or desirable to carry out the objects and purposes of this chapter. **Nothing in this chapter provides eminent domain power.** (Emphasis added.)

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P701-5

P701-6

P701-7

As a result, we believe the Project and DEIR are based on the false premise that Metro can use eminent domain to seize private property owners' private property rights for the benefit of LA ART and the Project.

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P701-7

In addition to violating our client's constitutional rights under California Constitution Article I, § 19, and the 5th Amendment to the U.S. Constitution, and similarly the rights of other private property owners, the structure of the Project and implied ability of Metro to seize private property for it, implicates a separate violation of CEQA, that of predetermination. "[A]n EIR must be performed before a project is approved, for [i]f postapproval environmental review were allowed, EIR's would likely become nothing more than *post hoc* rationalizations to support action already taken.' (Laurel Heights I, at p. 394, 253 Cal.Rptr. 426, 764 P.2d 278.)" Save Tara v. City of West Hollywood (2008) 45 Cal.4th 116, 130. The DEIR already, implicitly, embodies a determination by Metro that it will attempt to aid LA ART, the private Project proponent, through the use of eminent domain – over the objections of private property owners such as our client. That is a form of precommitment that undermines the legality of the DEIR and shows Metro "failing to proceed in the manner CEQA provides." Id. at 131.

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Rather than simply accede to this premise, we ask the following of Metro and request a clear and direct response:

Does Metro contend it has the power of eminent domain to take private property or private property rights for and/or in furtherance of the Project?

This issue has not been openly addressed in the DEIR, but must be as part of this process.

**D. Conclusion.**

If the Project sponsor seeks to proceed with the Project, the DEIR must be rewritten to correct these errors and omissions and then recirculated for public review and comment. Thank you for your review and responses to these comments.

Very truly yours,  
/s/ Robert P. Silverstein  
ROBERT P. SILVERSTEIN  
FOR  
THE SILVERSTEIN LAW FIRM, APC

P701-9

**The Silverstein Law Firm**  
**January 17, 2023**  
**Comments on Draft EIR for**  
**Los Angeles Aerial Rapid Transit project (LA ART),**  
**SCH # 2020100007**

# **EXHIBIT 1**

Exhibit 1 is related to Comment P701-7. This Exhibit material was considered in the Response to Comment P701-7.



**Metro**

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Metropolitan Transportation Authority

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**This Request for Additional Detailed Information, its Attachments, and any response to it are Strictly Confidential.**

## Unsolicited Proposal – Phase II Detailed Review: Request for Information

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### PROJECT INFORMATION

*To be completed by Metro Staff*

**Project Name:** Los Angeles Aerial Rapid Transit (LAART)

**Project ID:** UP-2018-14

**Date Submitted:** 25 April 2018

**Date Received:** 25 April 2018

**Phase I Response Date:** 11 June 2018

**Phase II RFI issuance:** 10 August 2018

**Requested Response Date:** 12 November 2018

#### **Review Team:**

- Program Management
- Countywide Planning
- Operations
- Vendor/Contract Management
- Office of Civil Rights
- Office of Extraordinary Innovation

### SUMMARY OF PHASE I PROJECT EVALUATION

The Review Team expressed unanimous interest in gathering more information about this proposal and expressed openness to the three main areas of Metro involvement laid out in the Phase I proposal (location at Los Angeles Union Station (LAUS), responsibility as lead environmental agency, and assistance with aerial easements and land acquisitions) (p. 14). The discussion then focused on the costs, impacts and benefits of this project, and what role Metro would play should the proposal advance to implementation, as it influences what information to request.

#### The costs, benefits and impacts of this project

The review team had some concerns whether this project would deliver noteworthy benefits to local and/or regional mobility, air quality and congestion compared to other potential investments (p. 12). However, the review team discussed other benefits, such as the significant investment being made by the developer, and the intangible benefits of this project as a fun and iconic local attraction that captures the public imagination and instills a sense of civic pride.

This project has the potential to create positive net benefits for the people of Los Angeles County. For its involvement and whenever possible, Metro must work to prevent any potentially negative impacts

## LAART Phase II Request for Additional Detailed Information

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to the people of Los Angeles County and deliver value to the people of Los Angeles County. This includes maximizing the return on investment of the taxpayers who invest in Metro's mission.

There are aspects of this project and the role Metro is being asked to play that will have a cost to Metro and the people of Los Angeles County. These may include the social and political costs of acquiring property; the impacts of construction on local communities; acting as the face of the project and mediating opposition; the opportunity costs of expending limited resources and capacity; and the impact of allowing for an additional transit use on the Union Station property given the myriad of projects, both transit and commercial, in early stages of development. To the extent that Metro will be environmentally clearing the project, claiming property, and substantially involved in other ways, the reputational risks of problems that arise on the project such as delays, mismanagement, or operational incidents, also reflect Metro even if Metro is not paying for the project.

While the risks of this project to Metro and the people of Los Angeles County are lower than most of Metro's planned capital projects, every project has risks that must be explored to ensure that the benefits of the project outweigh those risks. The review team saw great advantages to this investment in the connection between two iconic Los Angeles destinations, but because of the risks, Metro is interested in understanding how risks can be minimized and value can be maximized.

### The role Metro would play

The review team felt that it would be advantageous to simplify Metro's role as much as possible, and to focus this Request for Additional Detailed Information (RFI) on understanding the Project assumptions (ridership, site needs, and similar) to inform the environmental process; the business case for Metro; the role Metro would play; the long-term vision for the project; and the project's interface with Los Angeles Union Station.

Because this project is unprecedented, Metro must answer interrelated questions surrounding how the project would be structured, what Metro policies and procedures would apply, what contractual vehicle would be used, which entities will be involved and in what ways, etc. As Metro collects additional information on this project, it will continue to refine its position on many of these key questions. This RFI invites the proposer to weigh in on these questions as well, and feels that the earlier the answers can be understood and agreed upon, the better.

### The role of this RFI

This RFI requests a substantial amount of supplemental information, and in doing so, makes some assumptions. The reason for asking for such information is to receive the most complete Phase II proposal possible. The more defined the project at the end of Phase II, the more confidently Metro can make its decision to implement the project, and in what manner.

Most of the information requested in Section 3 of this RFI is requested for the following reasons:

To move forward with providing a location at LAUS, Metro needs to understand where the station will go and the potential impacts to projects, parking, and facility use.

To move the project smoothly through the environmental process, Metro needs project details and to understand which policies the proposer believes apply.

To approve the project, Metro needs to ensure the project will be insured and constructed to applicable codes and specifications, and that the proposer has a sound funding plan and business model.

## LAART Phase II Request for Additional Detailed Information

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To move from Phase II to implementation, Metro prefers to have as much project definition as is practicable.

If information requested will not be known or available in Phase II, the proposer should explain its reasoning as well as at what point during the process the information would become available.

### **Purpose of this Document**

The purpose of this Request for Information (RFI) is to gain greater understanding of your firm's Unsolicited Proposal and enable Metro to conduct a Phase II Detailed Review of your proposal. It also allows Metro to communicate key needs, challenges, opportunities, and aspirations in a way that should allow you to reiterate your proposal to more adequately fit these parameters.

This RFI will serve as a tool to gather more information about the conceptual proposal to aid Metro's Review Team in making a Phase II determination. The RFI is drafted based on the feasibility assessment previously conducted and approved for the project during the Phase I Review. *The information you provide to respond to this request should help Metro to understand the business case for implementation of your proposal.*

If Metro ultimately chooses to advance your Proposal, and to issue procurement documents, the information provided in response to this RFI will strengthen the procurement document (whether RFP or sole source). Any information received in response to this RFI may assist Metro's Unsolicited Proposal Review Team, Office of Extraordinary Innovation, and Office of Vendor/Contract Management in finalizing the scope of work and requirements which may be used at a future date in the issuance of a Request for Proposals (RFP), or other contracting mechanism. Submitting a response to this RFI is not a guarantee in any way that a supplier will be selected for any subsequent RFP or contracting mechanism, nor does it preclude any supplier from responding to future procurement opportunities.

The issuance of this RFI does not constitute a commitment to issue a request for bids/proposals, award a contract, or pay any costs incurred in preparation of a response to this RFI. Cost and price information provided in proposals will be held in confidence and will not be revealed or discussed with competitors, except to the extent required by law.

## **PART I: PROBLEM STATEMENT AND KEY REQUIREMENTS**

*To Be Completed by Metro Staff*

### **1. Problem Statement**

*Describe the gap/problem(s), its magnitude (i.e., which mission/functional areas, people, organizations, processes, etc. are affected) and the primary mission or business impacts if not corrected.*

Sports venues draw large crowds that overwhelm transportation systems before and after events. Because Dodger Stadium is the largest Major League Baseball stadium (capacity 56,000), is located on a hill in Chavez Ravine, is adjacent to several bustling neighborhoods, and sits within traffic congested Los Angeles, traffic getting to and from Dodger Stadium is notoriously challenging. Dodger Stadium draws regional crowds, the vast majority of whom drive their personal vehicles to access the venue. These vehicles converge and bottleneck on the surface streets leading up the Stadium, especially Sunset Boulevard/Cesar Chavez from Union Station and into the communities West of Echo Park. This traffic is exacerbated by a lack of high quality transit options which could more efficiently shepherd people in and out.

As part of the Phase II response, Metro would benefit from hearing more about how the proposer defines the problem statement and solution.

### **2. Background and Context**

*Provide additional context that explains the current situation (e.g., policy, process, environmental factors). Identify root causes (if known) and contributors to the observed problem(s). Include relevant research and information on industry or market conditions as appropriate. Keep the focus strategic.*

#### Metro's Responsibility

Because this project is envisioned to be privately designed, built, operated, maintained, funded, insured, and financed, Metro does not envision taking a hands-on, prescriptive, or performance minded approach to this project, instead focusing on the elements of the project for which Metro would be responsible.

Under the structure proposed in Phase I, Metro still needs additional information about each of the above-mentioned aspects of the project to better understand and evaluate it, the case for it, and its impacts, and in order to serve as the agency lead on environmental planning and clearance. Metro also has a significant interest and role to play as the property owner of the LAUS site and a steward of taxpayer investment, which includes better understanding the station location, impact to the immediate site and LAUS facilities, and feedback/approval rights of station designs and operating plans.

For the purposes of this RFI, Metro intends to focus its involvement, and its questions, on the following categories:

1. Metro's mission, financial and business interests, including its role in improving mobility and providing transportation services and return on taxpayer investment for Los Angeles County

## LAART Phase II Request for Additional Detailed Information

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2. Metro's role as the lead agency during the environmental review (California Environmental Quality Act) process, for which it will be helpful to have a better understanding of future development plans at Dodger Stadium and/or associated projects; project design and definition; and assumptions and their basis.
3. Metro's role in acquiring property for this project, per CPUC's explanation of the "Powers and Functions of District"
4. Metro's role in approving this project, per CPUC § 130252
5. Current and future plans for Los Angeles Union Station, impacts, and associated concerns as property owner of this regional hub.

### LAUS Spatial Context

*Information about ongoing and planned projects for LAUS are included in Attachment J*

### **3. Functional Requirements**

*Summarize functional requirements. Focus particularly on requirements necessary to achieve desired outcomes and measurable performance objectives.*

#### Planning

- The proposal should describe the impacts of the project to Metro and LAUS throughout the lifecycle of the project
- The project should include a conceptual project plan, as well as a high-level schedule, scope and budget, or an explanation of when this information would become available in relation to environmental clearance and/or negotiations
- The proposal should describe the footprint of the facilities, including how much space would be needed for a station, where the preferred station sites are located, and why. The proposal should show how each station area would influence the alignment alternatives. If the alignment alternatives are well known, the proposer should provide some insight into how many properties and aerial easements may need to be acquired, which properties may need to be acquired or operated above, and for what reason.
- The proposal should describe Aerial Rapid Transit Technologies (ARTT), LLC's preferred approach to the environmental process, including but not limited to alternatives analysis, visual impacts, technical analysis, emergency response, feasibility, impact to parking, etc. This should include an interpretation of whether site/economic development plans that rely on this project will also need to be environmentally cleared, and if their clearance would occur separately from this project. With this in mind, the proposal should include any information relevant to the environmental process.
- The proposal should explain which Metro policies ARTT believes should not apply to this project, be waived or granted exemption, or would conflict with this project, and why; a worksheet template has been included in Attachment B
- The proposal should indicate what coordination would be required with other jurisdictions, such as the City of Los Angeles and Caltrans, and who would be responsible for that coordination and its associated outcomes
- The proposal should validate its assumptions, whenever possible corroborating assumptions with comparable, existing projects

## LAART Phase II Request for Additional Detailed Information

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- The proposal should not assume that Metro's Dodger Stadium Express would continue to operate when an aerial tram began serving Dodger Stadium (see attachments G and H for more information on the Dodger Stadium Express)
- The proposal should assume that if the project were to proceed on the LAUS property, Metro would be involved in community engagement, outreach, and construction relations and mitigations, and should explain ARTT, LLC's approach to community outreach, including what, if any, outreach would be done, and by whom, during the environmental review process.
- Based on ridership assumptions, how much parking would the project require and where is the parking assumed to be?
- The proposer should consider if the project could/might create transit connectivity or walkability between the north and south sides of the Gold Line tracks near Los Angeles Historic Park
- The proposer should indicate whether they would prefer that TAP be available as a form of payment

### Business Model and Finance

- The business plan should be informed by the planning assumptions above, and outline the following:
  - Business model
  - Project budget and the available funding envelope for the project
  - Future plans at Dodger Stadium site
  - How would Metro be compensated for using Metro-owned land and facilities and Metro's authority, for company profit? This should include consideration of assumptions on ground lease payments and/or revenue sharing and/or usage fees, and any other financial payment to Metro for use of the Union Station site and facilities as part of a negotiated agreement; as well as other Metro responsibilities such as right of way acquisition, staff time, etc.
  - Staffing assumptions throughout the lifecycle of the project
    - The proposal should include the expected level and number of Metro Full Time Equivalent staff (FTEs), and percentage of staff time required and the proposed considerations related to reimbursement
    - The proposal should propose how the environmental contractor would be procured, if determined by the proposer, and how ARTT would procure these services
    - The proposal should include proposed staffing assumptions of additional Union Station personnel required in support of, but not direct operation of, the tram
- The proposal should directly acknowledge that financing, funding, and insuring the project and its operation will be the responsibility of Aerial Rapid Transit Technologies, LLC and its partners, including decommissioning and deconstruction of the facilities should they become non-operational
- The proposal should include letters of interest from key financial partners
- The proposal should include a term sheet

## LAART Phase II Request for Additional Detailed Information

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- The proposal should explain how the proposer would indemnify Metro from any and all liabilities that may result from the environmental process through construction, operation and decommissioning of the project by a private party.

### Operations

- The proposal should indicate the level of service expected to run, and how changes to levels of service impact relevant requirements above
- The proposal should comment on the capacity of the system and anticipated wait times during peak loads
- The proposal shall address how ADA compliance will be achieved, and identify any impacts on proposed capacity

## 4. Statutory, Regulatory and other Compliance Requirements

*Identify any statutory, regulatory, compliance requirements and/or organizational strategic goals and objectives this project/initiative must satisfy. Include as a reference all known statutory and regulatory requirements.*

In this RFI, Metro has included a list of policies and laws that it believes may apply to this project. This list is not intended to be comprehensive, nor does it intend to be binding. Attachment B includes a worksheet in which the proposer can describe various policies and laws, including those listed below, and explain whether they consider them applicable and why or why not.

### Laws and Policies

- [Americans with Disabilities Act](#)
- Metro Adjacent Development Handbook and Adjacent Construction Design Manual (Attachments D, E, F)
- [Metro Green Construction Policy](#)
- [Construction Careers Policy](#)
- The proposal should outline the preliminary terms of a [Project Labor Agreement](#) (PLA) to which LAART would commit, or otherwise argue that the PLA is not applicable to this project
- The review team recommends adherence to the American National Standards Institute (ANSI) Ropeway Standard as best practice (Attachment I)
- Metro Equity Platform Framework (Attachment C)
- LAUS Agreements (Covenants, Conditions & Restrictions and Easement Agreements between LACMTA, MWD, First 5 LA and Mozaic Apartments) to be provided should a formal agreement be entered between LACMTA and AART, LLC.)
- Laws, policies and procedures associated with crossing freeways, if applicable
- Laws, policies and procedures associated with operating ropeways in California

On Metro projects, Metro follows these Fire/Life Safety Policies:

- National Fire Protection Association NFPA 130 Standard for Fixed Guideway Transit and Passenger Rail Systems
- NFPA 101 Life Safety Code

## LAART Phase II Request for Additional Detailed Information

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- NFPA 70 National Electric Code
- NFPA 72 National Fire Alarm Code
- Los Angeles Fire Department Chief's Regulation #4 Standards
- Long Beach Fire Department Fire Protection and Life Safety Certification Program
- Metro Fire/Life Safety Design Criteria

### Approval from the Board of Directors

Based on Metro's interpretation of its authority under the CPUC, which establishes Metro and its powers, including the powers of eminent domain, the Metro Board of Directors must approve all plans for the design, construction and implementation of public mass transit projects in LA County, including this one.

### Rationale

PUC § 130252 states, in relevant part: "All plans proposed for the design, construction, and implementation of public mass transit systems or projects, including exclusive public mass transit guideway systems or projects . . . shall be submitted to the commission [now Metro] for approval. No such plan shall be approved unless it conforms to the appropriate adopted regional transportation plan . . ."

CPUC General Order 164-3 (Eff. 01 May 2018) further defines its authority over Rail Fixed Guideway System, which are defined as "any light, heavy, or rapid rail system, monorail, inclined plane, funicular, trolley, cable car, automatic people mover, or automated guideway transit system used for public transit and not regulated by the Federal Railroad Administration or not specifically exempted by statute from Commission oversight."

Based on these code sections, the Aerial Tram from LAUS to Dodger Stadium is a public mass transit project, and therefore Metro must approve all plans for its design, construction, and implementation.

Metro is also the statutory designated transit guideway operator in Los Angeles County (see, PUC §130254), although Metro is likely able to delegate this function to a third party.

## **5. Technical Requirements or Limitations**

*Identify any technical requirements or limitations.*

- The station site may not interfere with planned capital projects outlined in this RFI and Attachment J

*For the purposes of continuity, some Technical Requirements were included in the Functional Requirements section*

## **6. Other Project Information**

*Identify any other relevant project information.*

N/A

Attachments:

**From:** Phyllis Ling [REDACTED]  
**Sent:** 1/17/2023 9:31:52 PM  
**To:** LAART@metro.net, zelmerc@metro.net  
**Subject:** Public Comment – Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Dear Mr. Zelmer,

Please find attached a DEIR comment letter in OPPOSITION to the LA ART Gondola Project. The letter is a joint statement and collaborative work of residents and property owners on Savoy Street, the neighborhood directly in the path of the gondola, and the site of the massive Broadway Junction.

Sincerely,

Phyllis Ling  
Tany Ling  
Amy Ho  
Peter Ho  
Edwin Li  
Susan Jung  
Ron Frank  
Meika Best  
Angela Cai  
Mei Yan Cai  
Xue Nie Yuen  
Myra Welsh  
Albert Ho

**January 17, 2023**

**VIA EMAIL LAART@metro.net; zelmerc@metro.net**

# Subject: Public Comment – Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Cory Zelmer  
Deputy Executive Officer  
Los Angeles County Metropolitan Transportation Authority  
One Gateway Plaza, Mail Stop 99-22-6  
Los Angeles, CA 90012

Dear Mr. Zelmer and Metro,

We, as residents of Savoy Street, are writing to voice our opposition to the Los Angeles Aerial Rapid Transit Project ("The Gondola" to Dodger Stadium, or "The Gondola Project"). This project has been – and continues to be – pushed on us without adequate information.

P702-1

The first time residents were notified about The Gondola was in September 2020, with the Notice of Preparation of the Draft EIR. By that time, LA ART had already selected the two potential routes for The Gondola. This happened without any public outreach or meetings, depriving us of the opportunity to provide input early-on for a private developer's plan to occupy the airspace over our homes, public streets and parks. Metro has betrayed our communities by approving LA ART's outreach plan and allowing the project to progress to this stage through this untransparent and backward process, front-loading the approvals process with the EIR.

P702-2

To this day, LA ART still has not provided a feasibility study or funding plan. We can only wonder if this enormous infrastructure project is financially sustainable. Without adequate and consistent funding, The Gondola cannot be properly maintained and secured, and would pose a safety risk to our communities, creating a substantial liability for taxpayers. The news that Frank McCourt intends to "donate" the gondola project to Climate Resolve, a nonprofit with zero experience with construction and operation of transit projects and an annual budget of less than \$1 million, does not inspire confidence. Furthermore, according to the documents

P702-3

submitted for Metro’s November 16, 2022 Ad Hoc Olympics Planning Committee meeting, Metro has listed the Aerial Rapid Transit project on a comprehensive list of projects under consideration for federal and state funding in preparation for the 2028 Olympic Games. This suggests that the staff at Metro believes that public funding is needed for this project, despite all of the claims that The Gondola would not use taxpayer dollars. Metro should not be volunteering to seek out taxpayer dollars for a project that claims to be 100% privately financed.

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P702-3

Even when we were finally notified in September of 2020 with the NOP, the information provided was vague. There was no initial or feasibility study – this for a mode of transit that is novel to the US. Instead of a feasibility study, there was a figure, erroneously labeled “Examples of Gondola Systems,” which included photos of cable car systems from around the world. None of those systems use 3S gondola technology for urban transit at the capacities planned for The LA ART Gondola. The only aerial cable systems used for urban transit in the US are the Portland Aerial Tram and the Roosevelt Island Tram. Trams, however, are much simpler; they are lower-capacity systems with only 2 cabins that stay attached to their haul rope and alternate back and forth between two stations. 3S tricable gondolas are detachable grip systems that circulate 20, 30 or even 50+ cabins at a time between two or more stations. LA ART’s suggestion that The Gondola project uses proven technology for this proposed application is disingenuous at best.

P702-4

As several commenters noted in their NOP comments, the Notice of Preparation did not contain adequate information for the public to make informed comments about the potential impacts that should be examined in the draft EIR. Problems with the NOP include the following:

- Zero information was provided about the towers, what they might look like, how many there might be and where they could be located.
- There was no information about the intermediate stations, except their locations on a map.
- The approximate height of the cables and cabins – over our homes, streets, and parks – was also not disclosed in the NOP.
- The NOP announcement was so confusing that at least one person, who stated their support for the project, claimed to live under the path of the gondola, when in actuality, their residence was nowhere near either of the proposed routes.
- The NOP also did not include an intermediate station at the southern entrance of Los Angeles State Historic Park. This station was not publicly disclosed until 8 months later, in May 2021. The decision to locate a station at this location and to

P702-5

study it in the DEIR was made without any prior notice or opportunity for community feedback.

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P702-5

Metro, in its role approving LA ART's outreach plan, has betrayed us. This DEIR, which is filled with misleading images and false assumptions that minimize the impacts of this project, is a further betrayal and insult. Despite the breadth of this 8,000 page document, there is still little information addressing how this gondola, which would be new technology for LA, would be operated, secured, financed, and maintained. This document fails as an informational document.

P702-6

Only after the technical and financial feasibility of the LA ART gondola project was established should there have been a draft EIR and a comment period. Metro and LA ART are asking members of the public to comment on the environmental impacts of a project when the project still has too many unknowns, especially in terms of implementation, which will be critical to both the impacts and sustainability of this project. This has been, and continues to be, an enormous waste of our collective time and energy.

P702-7

In order to protect our rights, however, we have prepared a list of our concerns regarding the DEIR document and the impacts of this project. The Broadway Junction and the path of the gondola directly over our 100+ year old neighborhood would have an enormous impact on our lives.

P702-8

## Invasion of Privacy

- The DEIR should explain how the proposed "smart glass" would work, how much it would cost, whether it is feasible or cost prohibitive to maintain, and how would it be implemented. For example, when/where along the route does the glass get activated and which windows are activated at each location? We believe the questions of when the smart glass would be activated should be answered along the entire route, especially where the gondola passes near residences including Mozaic Apartments, Metro Lofts, the future College Station development, Blossom Plaza, and the neighborhoods around Cottage Home Street and Savoy Street.

P702-9

The following pages are Google Earth images along the gondola route at the approximate height of the gondola cabins:

P702-10



**Google Earth View of Mozaic Apartments, 84 ft above ground**



**Google Earth View of Metro Lofts from 151 ft above ground, facing north**

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P702-10



**Google Earth View of Metro Lofts from 151 ft above ground, facing west**



**Google Earth View of Broadway Junction Site, view from 45 ft above ground**

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P702-10

The following two images are Google Earth images in the neighborhood of the Broadway Junction, on Savoy Street. The images are much higher than the views that passengers would see from the cabins. Google Earth did not have view available at the height of the gondola cabins.



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P702-10

**Google Earth Eye view at Broadway Junction Site, Approximately 65ft above ground. This is 20 ft higher than the view from gondola cabin (could not go lower on Google Earth).**



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P702-10

**Google Earth Eye view at Broadway Junction Site - Approximately 65ft above ground. This is 20 ft higher than the view from gondola cabin (could not go lower on Google Earth).**

- If the “smart glass” malfunctions, will video cameras inside the gondolas record views of our private yards and through windows? We are relying on a private company to keep this system in good working order, and do not want to be inadvertently surveilled.
- We are concerned and skeptical about the ability of the battery charging system of the gondola cabins to maintain power to all of the proposed systems in the cabins that require electricity. To our knowledge, the systems that will run off of the cabins’ battery power include the security cameras, WIFI for video streaming and audio communications, lighting, smart glass, air circulation/filtration, seat heating, and air conditioning (which at the October 22, 2022 Zoom DEIR meeting was said to be “anticipated”). Here are some of our questions related to the electrical in-cabin systems that we hope will be addressed in the next draft of the EIR:

P702-11

P702-12

- Will the smart glass be the first system to be sacrificed if the battery power drops below a certain level? How often could this happen? Would this be likely to happen during heat waves due to the electrical load from the air conditioning system? P702-13
- How much energy does the air conditioning draw at various outdoor temperatures, and at what outdoor temperatures would The Gondola system be required to shut down for safety reasons? P702-14
- According to LA ART, the batteries powering the gondola cabins would be recharged mechanically via wheels that are attached to the gondola cabins, turning on the track ropes. We ask that LA ART explain in the EIR how this recharging system works. Realistically, how much energy can be generated from the wheels? P702-15
- How does The Gondola affect our rights to privacy on our private property? There are certain rights that individuals have on private property that they do not have in public. Will the privately owned gondola guideway in the air be deemed a public right-of-way? What is the legal framework for protecting residents' privacy rights on their private property when a private project invades it like this? These include the rights to not be video recorded. Do we lose these rights to privacy on our private property if the smart glass is malfunctioning? Are residents restricted in terms of messages and signage on their private property that can be seen from The Gondola, but is not visible from our public streets? P702-16

## Noise / Vibration

- Many homes in our neighborhood are over 100 years old and don't have soundproofing. Homes have plaster walls and single pane windows. And as mentioned in the visual impacts analysis, many of our homes have security bars on the windows. Many of our homes were built before air conditioning existed – with plaster walls, high ceilings, and basements that help keep our homes cool in the summer. We don't have air conditioning or can only afford to use it sparingly, and need to leave windows open at night in the summer for cooling. With the added noise and disturbance of this project, you will force many of us to keep our windows closed and use air conditioning, which is not an environmental benefit of this project. P702-17
- The DEIR states that the maintenance of The Gondola system will be at night, between midnight and 6am. This will create significant noise that is not included in the noise analysis. Would power tools be required to service the Broadway Junction? P702-18

If so, it could sound like an open-air auto mechanic's shop in our neighborhood at night. Would we hear workers shouting at each other? We are not aware of any urban gondola systems that place open-air stations in the middle of residential neighborhoods. We believe the Broadway Junction needs to be redesigned to be a fully enclosed non-passenger station.

- The noise and vibration analysis is vague and flawed. For example:
  - Noise measurements were conducted between June 15 and June 18, 2020 – during the COVID-19 pandemic stay-at-home orders when traffic was light. As acknowledged in the DEIR, this underestimates the noise measurements that established the baseline or existing noise in the neighborhood, which in turn, underestimates the total noise once The Gondola Project's noise is added to the existing noise. It's quite possible that the operational noise at NSR-17 would be pushed above the unacceptable levels for single family homes on Savoy Street once this correction is made.
  - Another NSR location at 455 or 451 Savoy Street should be included in the noise analysis because this is where the noise from the Broadway Junction may be the highest in the neighborhood during operation of The Gondola, according to the Rossi model. The construction noise would also be higher at 455 or 451 Savoy than at NSR-17N because there are no structures between these two locations.
  - The noise measurements in our neighborhood on Savoy Street were taken at 430 Savoy Street. This location may underestimate the noise from the 110 FWY because the property is partially shielded from the freeway noise by the elevated terrain of Radio Hill. We suggest an additional measurement location at 455 Savoy Street or across the street from that address on Savoy Street.
  - The noise analysis does not identify by name the gondola system that was measured for reference, only noting that the system is in Austria and can be found in Appendix A.
  - The noise analysis does not identify differences between the 3S gondola system in Austria that was measured and The LA ART Gondola project that is proposed. The analysis does not make any adjustments to the estimated sound levels of The Gondola to account for these differences. The analysis makes the assumption that the sound power parameter,  $L_{Wsp}$ , for the 3S gondola in Austria, The Koblenz Seilbahn, is the same as that for the proposed LA ART Gondola, and that the same parameter can be used for

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P702-18

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intermediate, angle/junctions, and end stations. We have the following questions about their estimate of LA ART's operational noise:

- Were the measurements taken from the gondola station in Austria taken from a station that included the drive motor or was it taken from one with a passive bullwheel? Were the measurements taken while the gondola was operating at maximum capacity?
- Is the drive motor for The LA ART Gondola underground, like the gondola in Austria?
- What are the differences in characteristics between the reference drive motor and The Gondola's drive motors that may impact noise levels and vibration? Does the capacity of the gondola system impact the sound power parameter,  $L_{wsp}$ ? If the system in Austria is the Koblenz gondola, that system has a much lower capacity.
- In the noise analysis, it states that one of the assumptions is as follows: "The proposed Project includes one junction. The junction is a non-passenger junction used to execute a turn in the ropeway (while the junction includes vertical circulation elements, which are for maintenance). Acoustically, it was assumed that the junction would have the same power unit as the stations and was modeled using the same equations and parameters as the stations." We don't believe this is a good assumption. The Junction and intermediate stations contain twice as many components for circulating the cabins. In addition, the Broadway Junction contains both a motor unit and a tensioning system.
- What are the differences in the built and natural environment of the reference gondola and The Gondola that is proposed that would impact the propagation of sound from this system? If the reference system is the Koblenz gondola in Austria, that system is surrounded by a flowing body of water and open space that may diffuse, scatter, or absorb noise. However, the alignment of The LA ART Gondola is in an area that is undergoing redevelopment, and will likely see further midrise and highrise developments in the next 40 years. Future development along Alameda Street could propagate the noise from The Gondola's Alameda Station and Chinatown State Park Station via a well-known "urban canyon effect."
- We suspect that one or more of the large trees between our neighborhood (on Savoy Street) and the 110 FWY will need to be removed due to the height of the trees interfering with the path of the gondola cabins. The EIR needs to confirm

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whether any trees will be removed or pruned, and account for increase in freeway noise in the neighborhood due to the removal or modification of trees for this project.



**Large Trees Potentially in the Path of The Gondola Cabins/Cables  
Between 455/451 Savoy and SR-110 (110 FWY)**

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P702-29



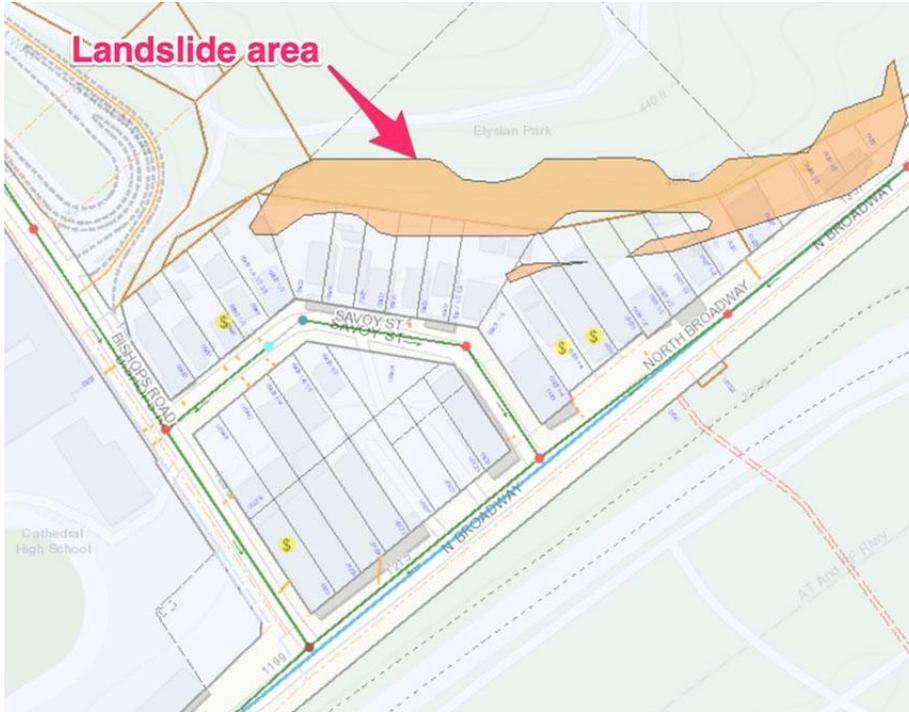
**Large Trees East of SR-110 Northbound Lanes, Inside the Onramp Loop**

- Even with mitigation, the construction noise at NSR-17S is estimated at 80 to 90dB without mitigation and approximately 70-80dB with mitigation. This is outrageous.
- The vibration caused during construction of the Broadway Junction’s foundation may cause damage to our homes. There are also retaining walls in our 100+ year old hillside neighborhood that were built prior to current building codes that may be damaged and cause instability to our hillsides. Most of the properties on the west and north side of Savoy Street are in a landslide area. We are concerned that the Radio Hill hillside could become unstable during construction of the Junction and trigger a landslide.

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**Landslide Area Near the Broadway Junction (NavigateLA)**

- We are also concerned that vibration from construction on the Broadway Junction could cause structural damage to our old infrastructure including sewer pipes, sewer laterals, water mains and gas lines. The sewer lines under Savoy Street were installed in 1896 and 1906. Two spot repairs were made on the sewer pipe along Broadway in 2008. We did not see this impact addressed in the DEIR.
- Measurements taken in the Savoy Street neighborhood were taken at 430 Savoy Street, which is partially shielded from the 110 FWY noise by the upslope of Radio Hill behind the homes on Savoy Street. Residences closer to Bishops Road may experience slightly higher freeway noise. A better measurement site, where the maximum noise would be highest in the neighborhood would be at Bishops and Savoy Street.

We request that these issues be clarified and investigated in relation to the noise and vibration analysis. In addition, the City and other agencies should be looking for ways to help our communities reduce the noise in our neighborhoods that is a result of the freeway traffic and historical redlining, instead of introducing additional sources of noise that nudge us closer to levels that are incompatible with residential land use.

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## Safety/Security

- Because there is still no funding plan and no operational plan, we are concerned that this system will not be properly maintained and secured by this private operator. We are concerned about the cavalier attitude with which LA ART is approaching the challenge of maintaining and securing this system. LA ART does not acknowledge the risks that are being imposed on residents, users of this system, and the general public in right-of-ways under The Gondola.
- We are concerned about harm that could be caused by vandalism or sabotage of the system, as happened with the Sea to Sky Gondola. The operators of that gondola had to completely revamp their security after a vandal cut their cable on two occasions in just over a year. The operators admitted that security cameras are worthless if no one is monitoring them. How many security cameras will be used to monitor the LA ART Gondola system, and how many people will LA ART employ to monitor all of these security cameras? Will they be monitored 24/7 to prevent acts of sabotage? How much staff will really be needed to operate and maintain this system? The cables of gondola systems are very thick steel; a falling cable could kill a person, as almost happened in the Sea to Sky Gondola case (<https://unofficialnetworks.com/2022/09/15/sea-to-sky-reward-doubled/>). This is a huge concern for residents who would live under the gondola's path.
  - <https://www.cbc.ca/news/canada/british-columbia/sea-to-sky-gondola-vandalism-update-2022-1.6582667> "Operators of the gondola stepped up security after the cable was cut the first time and the attraction now has an in-house security team with tech for around-the-clock surveillance."
  - <https://vancouver.sun.com/news/local-news/security-company-sued-in-connection-with-sea-to-sky-gondola-vandalism> "They say USI assured them it would equip the system with sufficient cameras and equipment so as to provide coverage of all of the gondola's towers to detect unauthorized access and which would trigger an alarm in the event of a vandal approaching the scene." .... "As a result of the security breach and the alarm failure, the vandal was able to sever the cable, which parted catastrophically. The loss event caused substantial damage and destruction to the gondola and its components."
  - <https://www.squamishchief.com/local-news/sea-to-sky-gondola-to-reopen-with-own-security-team-3839149>
    - Brown said having an in-house security team makes a significant difference.

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- “You can have the highest tech stuff on the planet, but if you don’t have a team that’s constantly attuned to what that information is telling you about your situation, then it’s not really worth a lot,” he said.
- It’s essential to have security personnel familiar with local topography, the community, and how circumstances change according to time of day and seasons, he said.
- “I can’t tell you how many security cameras are out there that are recording footage that nobody ever watches,” said Brown. “You need to be alive to the situation minute-by-minute. and that takes people that care about it. And that’s the difference, right there...we now have a team whose — not just their job — but... passion is looking after the Sea to Sky Gondola.”
- The vandal still has not been caught. All they have is a blurry thermal image. This suggests that better lighting is needed for security, which may impact light pollution.

Still no arrests since gondola cable was severed in 2019 and 2020; reward for info doubled to \$500K

CBC News · Posted: Sep 14, 2022 9:42 AM PDT | Last Updated: September 15, 2022



B.C. RCMP have released a thermal image of the suspect, circled in red, who they believe severed the Sea to Sky Gondola cable in 2019 and 2020. (B.C. RCMP)

- We are also concerned about the security inside the gondola cabins for users of the system. What kind of liability will this create by packing every gondola cabin full with 40 people for a full two hours before and after every Dodger Stadium game and event? Will the capacity need to be reduced to better manage security? If so, this

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P702-36

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could drastically change the estimates of GHG emissions reductions. According to a report from the City of Gothenburg, “When catastrophic accidents occur, such as that in Singapore, it is generally a result of third parties who failed to adhere to policies and/or who were negligent. This suggests that while a cable car operator can implement policies and procedures to safeguard a cable car, operators must also be proactive and engage with all relevant stakeholders.”

([https://www2.trafikkontoret.goteborg.se/resourcelibrary/underlagsrapport\\_best-practices.pdf](https://www2.trafikkontoret.goteborg.se/resourcelibrary/underlagsrapport_best-practices.pdf)). Also, “However, since each city has its own unique security circumstances, the city should conduct extensive consultations with relevant local stakeholders. This may determine the level of risk that could be anticipated aboard a cable car and in turn, inform the security settings required on a cable car to make passengers feel safe.” This is why we question LA ART’s commitment to safety and security when they claim that The Gondola will be safe because they will follow all applicable regulations and safety protocols. There is a well documented history of fights at Dodger Stadium and in the parking lots.

- “Jaime was knocked unconscious as another man punched him in the face. Jaime, who is a grandfather, said he and his wife were leaving the Elton John concert when someone in a group smacked his rearview mirror. According to the grandfather, when he got out of the car to ask, a woman punched him shortly before other men started beating him.”  
<https://www.cbsnews.com/losangeles/news/lapd-promising-more-arrests-in-beating-of-couple-outside-elton-john-concert-at-dodger-stadium/>
- “Rafael Reyna’s Los Angeles Superior Court lawsuit alleges negligence, premises liability, assault, battery and intentional infliction of emotional distress. He maintains lighting was poor and security was lacking at the 2019 game.”  
<https://kfiam640.iheart.com/featured/la-local-news/content/2022-05-17-dodgers-want-proof-of-beating-victims-wifes-emotional-distress-claim/>
- “Filed in Los Angeles Superior Court, the suit notes Dodger Stadium has a higher crime rate than any other ballpark. This is not the first time the team has come under legal proceedings due to security issues. A civil trial of Giants fan Bryan Stow, who was brutally attacked outside of the stadium in 2011, resulted in a judgment against the team in 2014.”  
<https://dodgersway.com/2020/04/24/dodgers-news-fan-sues-team-over-2019-beating-at-dodger-stadium/>

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P702-37

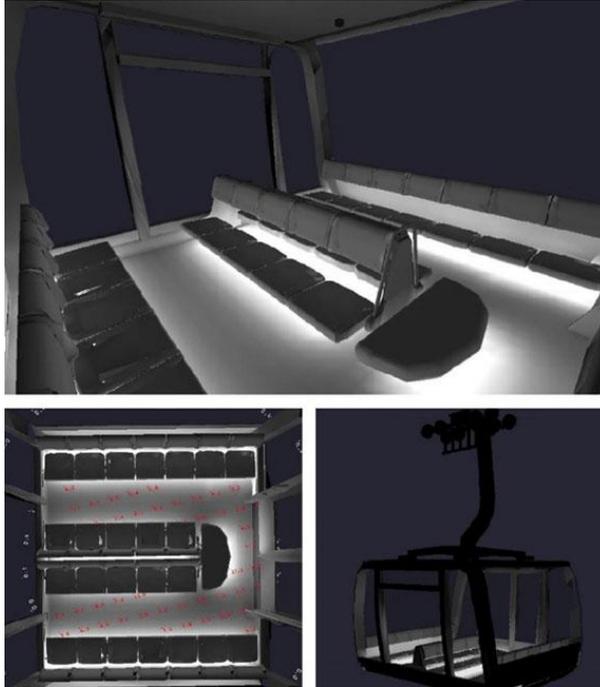
- In August 2021 there was a peak in violence at Dodger Stadium, mostly related to assaults and alcohol.  
(<https://xtown.la/2021/09/22/dodger-stadium-crime/>).
- The Gondola project needs a security plan that is custom designed for the elevated security risk at Dodger Stadium after a game or event. 2022 was another record year  
(<https://xtown.la/2022/12/09/crime-unusual-places-golf-course-cemetery-dodger-stadium/>).
- LA ART must present an operational plan. In real life, gondola systems often cannot operate at or near their rated capacities. The 3S system in Bolzano, Italy is one example. For various reasons, including compact station design and comfort/ease of passenger loading, that system operates at a capacity of approximately 500 people per direction per hour with 3 to 4 minute headways, which is much lower than its maximum capacity. This gondola system also has notoriously long lines and poor passenger circulation inside the station. They allow their cabins to come to a full stop at the stations by default during boarding and deboarding, which is not the case for The LA ART Gondola.  
(<https://www.gondolaproject.com/2010/07/29/the-bolzano-3s-funivia-del-renon-part-3/>)
- If a person with mobility issues wants to board, how will they make the request to a station attendant? There are many monolingual Chinese speakers in Chinatown. Will there be interpreters at the stations? How will that station attendant stop the gondola cabin? How long can a cabin be stopped without causing the entire gondola system to come to a halt? How does this impact boarding for all of the other cabins in the station? Because the cabins do not come to a full stop by default, this suggests that the boarding area will be a chaotic free-for-all which would be very unsafe, especially if the stations do not have adequate space for boarding. The constant movement of the cabins means more space is needed for boarding.
- The dim, underseat lighting of the cabins at night is a security problem. Security video will not be as clear, and in a crowded cabin, the darkness increases the likelihood of accident or injury. People may be more likely to bump into each other and start fights. Would this dark lighting be acceptable on Metro's buses or trains?

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**Image from DEIR Appendix C - Visual Impact Analysis / Lighting Design**

- There needs to be greater consideration for security of the gondola infrastructure to prevent unintended uses of the system. If the opening of the Sixth Street Viaduct is any indication, the absence of ladders will not prevent people from climbing the towers and stations. If a person is able to get access to the Dodger Stadium parking lot or the Broadway Junction, would they be able to use The Gondola as a zip line?  
<https://www.nbclosangeles.com/news/local/sixth-street-bridge-arches-boyle-heights-downtown-la/2944212/>
- What would prevent an individual from prying open the doors of a gondola cabin and jumping out for whatever reason? This happened on the Peak2Peak gondola in 2014.  
<https://www.cbc.ca/news/canada/british-columbia/base-jumpers-condemn-illegal-w-histler-peak-2-peak-stunt-1.2537544>
- During the summer months, the gondola cabins, with its large windows that do not open, will be like greenhouses. Will people be able to open the windows in an emergency, and if so, won't that allow people to throw items outside of the cabin that could harm people, such as cigarettes, bottles, and trash? Will the vents for air circulation in the cabins include holes that are large enough for a cigarette?
- After a breakdown of the Roosevelt Island Tram on April 18, 2006 that left 69 people trapped for 11 hours  
<https://www.nytimes.com/2006/04/20/nyregion/options-were-limited-after-a-power>

P702-42

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[-surge.html](#)), the tram was required to keep an emergency kit, including blankets, a toilet, and a privacy curtain inside the cabin in case of breakdown. The tram broke down after a power surge. The backup system had been out of service for a while. The tram, however, has an attendant. Will the gondola cabins have an emergency kit that includes a toilet and will the emergency kit be accessible? How will the kit be kept secure without an attendant on board each cabin?

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P702-44

- The Broadway Junction is within an earthquake liquefaction zone, methane zone, and within the fault zone of the Upper Elysian Park earthquake fault. We are concerned that there are too many risks associated with building an junction station at this location.

P702-45

## Visual Impacts

- The Gondola Project's enormous towers will cause visual impacts in our neighborhood. We are concerned that the towers will obstruct views. This project also introduces too much cold and bare concrete into our historic neighborhoods. We already have enough concrete from the elevated Metro L Gold Line. We do not need more.
- We have previously been told that the Broadway Junction would be 78 ft high, then 84 ft high, and now 98 ft high. This non-passenger station will block our neighborhood's Downtown skyline views and give them to this private company and their gondola customers. This project blocks out much more of the views than the mixed-use, residential project that was previously approved for the site at the Broadway Junction, 1201 N Broadway. That residential project concentrated the height and bulk of the building along Broadway and stepped down the height of the development closer to Savoy Street. The Junction does not do this.
- The gondola cars will be used for advertising and electronic billboards. The DEIR only says that they will abide by Metro and City regulations for signs. What messages would the private developer be allowed to display all over our communities for their private gain? Will our communities be subject to advertisements from authoritarian governments that violate human rights, as a platform for self-promotion and propaganda during the Olympics? What other types of objectionable, offensive, or harmful messages could become regular sights on gondola cabins over LA State Historic Park and our neighborhoods because of this project, which would operate 18 hours per day? Online gambling, liquor, cryptocurrencies, advertising of luxury brands? Who would decide what is acceptable? How would this be regulated?

P702-46

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P702-48

- The shadow study does not consider the impacts of shadows from the gondola cabins. If there are gondola cabins leaving every 23 seconds, there could be a gondola cabin passing over a particular point along the path every 12 seconds, which could cast a flickering shadow on a person who is in their yard, sitting in the park, or sitting at home. This type of flickering would be a significant nuisance. For much of the day, large portions of the southern half of the park could be rendered useless for peaceful enjoyment.
- A major issue for aerial transport is flying over homes, and yet in this 8,000 page draft EIR, there is no image that shows what it looks like over our homes. There are only two images that include a glimpse of the apartment building (438 Savoy Street) next door to the Broadway Junction. The only views are facing the Broadway Junction. There should be renderings that show the gondola cabins as they pass over our homes.
- LA ART claims The Gondola's cables over LA State Historic Park would not be significantly more impactful to views than the Gold Line's overhead catenary wires. We disagree. The Gondola cables are much thicker and hang directly over greenspace of the park.

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### DEIR Image of Chinatown / State Park Station at LASHP with Notes

- Throughout this document are misleading images that downplay the visual impacts of The Gondola project by omission. For example:
  - Only showing two gondola cables in each direction, instead of three. This was in many of the renderings.

- Omission of gondola cabins in images.



**DEIR Image of Chinatown / State Park Station at LASHP with Notes**

- In this DEIR, The Gondola is never shown operating at full capacity. The main purpose of this system is to relieve traffic for Dodgers games, which LA ART claims can be helped by operating at maximum capacity for a full two hours before and after Dodgers games and events. But in all of the images, there are no lines, the stations are almost empty, the cabins are empty or only have 6 or 7 people (15% capacity). These images do not accurately reflect the challenge of operating this system. These images also do not accurately

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P702-52A

reflect the real life challenges of accessing and using this system as a gondola customer.

- Draft EIR does not show where any of the jumpers would be. Jumpers are the large metal contraptions attached to the gondola cables that keep the cables a safe distance apart. They are a safety device that are a part of other 3S gondola systems. Are they not needed in The Gondola project? If they are needed, where would they hang over LA State Historic Park and our neighborhoods? The cables are very thick and noticeable, but the jumpers are bulky and even more noticeable.



**Workers performing repairs on Toulouse 3S Teleo Gondola, which suffered several breakdowns during the first month of service.**

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P702-52B

- The DEIR includes many misleading images that downplay the visual impacts of The Gondola project by using “forced perspective”.



**Use of forced perspective with tourist attractions like the Leaning Tower of Pisa is popular in tourist photography.**

- Forced Perspective - Rendering of towers on Alameda



**Image from DEIR - Towers on Alameda Street**

P702-53

- Forced perspective - Broadway Junction



**Figure 5-25: Existing and Simulation Views of KOP 22 – Looking Northeast on North Broadway from Cottage Home Street**

**Image from DEIR - Broadway Junction viewed on Broadway. The 98 ft tall Broadway Junction is hidden in the background and made to look smaller than the 40 ft tall utility pole.**

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P702-53

- Forced perspective - Chinatown / State Park Station



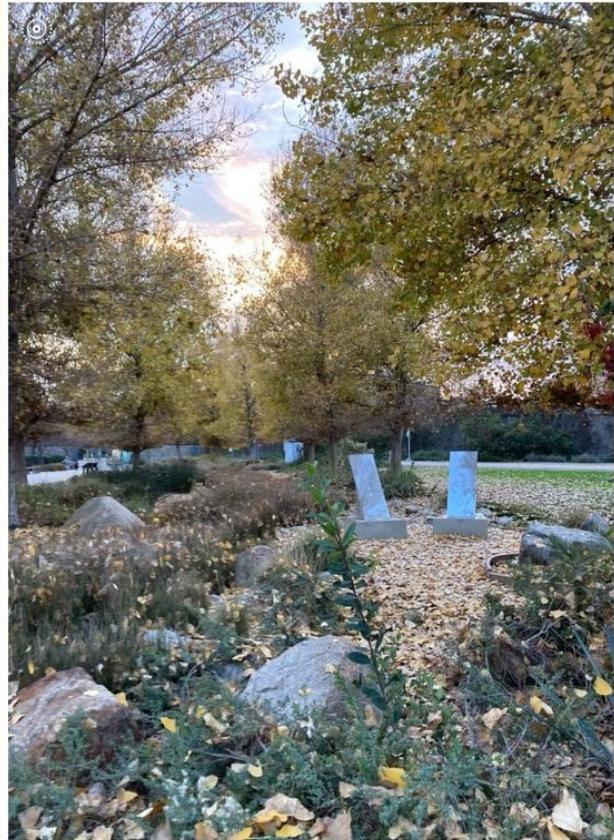
**Figure 5-13: Existing and Simulation Views of KOP 12 – Looking North on Alameda Street/Spring Street from South of College Street**

**Image from DEIR - Chinatown / State Park Station in the background**

- Also figures 5-14, 5-20b, 5-21, 5-22, 5-24 are taken from deceptively far away from the subject, to make the towers or stations look small.
- There is a significant visual impact of the gondola station at the entrance of LA State Historic Park and the gondola cabins as they travel in and out of that station over the park, which is not shown or discussed in the visual impact assessment. The DEIR should show a rendering of this site. This site is the end of the stream (or river) that runs along the eastern edge of the park. This stream fills up and flows during heavy rains. There is also an art installation/monument at this site, called “Origins” by Debra Scacco. This is just north from where LA ART is proposing to build restrooms and concessions.
  - “Origins” - “Works by Debra Scacco explore the notion of place. Her LA River works explore the unique history of the river, and the role it has played in shaping modern-day Los Angeles.”

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### Photos of River and Art Inside the Southern Entrance at LASHP

- The visual impact of cutting down the trees at the entrance of the park and building restrooms and concessions at the entrance is not addressed. This is a very picturesque portion of the park. Also, what is the visual impact of the gondola cabins casting shadows over people who are trying to enjoy this portion of the park?

P702-55



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### Inside the Southern Entrance at LASHP

- The visual impact of the large gondola station sitting in front of the southern/pedestrian entrance of the park seems out of place, unwelcoming, and intimidating. It seems like bad Feng Shui.

P702-56



**StopTheGondola** @stopthegondola · Oct 27, 2022  
 The LA River **Farmers' Market** is at the entrance of the Los Angeles State Historic Park on Thursdays, 3:00-7:30pm. Check it out! See where Frank McCourt wants to put his massive 98 ft tall **gondola station** for the LA ART gondola to Dodger Stadium. #StopTheGondola



**LARiverWorks** @LARiverWorks · May 27, 2022  
 The LA River Farmers' Market debuted yesterday at LA State Historic Park. Clearly, thanks to @SenMariaEDurazo and @AsmCarrillo this will be a treasured community feature for years to come! Thanks to our hard-working representatives and to ...

- Cabin lighting as shown in the lighting plan is too dark. When everyone is sitting down, it will be fully dark. Overhead lighting inside the cabins is needed for many reasons:
  - Safety and security reasons, especially after Dodgers games and events. A lot of fights start when people are drunk and bump into each other, for example, after the Elton John concert, Brian Stowe, etc.
  - If a fight breaks out in a gondola cabin and it is almost pitch black, what's going to happen. The video system is the onboard security system, but the video quality and clarity is much lower in darkness.

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 P702-56

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- In a packed cabin that is dark, how hard will it be to find and press the emergency call button to talk to security? This is a huge safety liability.
- If you are adding overhead lighting in the cabins, this will need to be factored into the light pollution study.
- If you are adding overhead lighting in the cabins, then people may not be able to see city light views at night. How will that impact revenue for the gondola from tourists? This will need to be factored into any funding plan for the gondola project.
- Would Metro allow buses and trains at night to be pitch black except for underseat lighting? We don't think so. This raises the question: Is this project transit or is it a tourist trap?
- Graffiti – There needs to be a plan to manage graffiti on The Gondola, including the cabins, towers, and stations. After the opening of the 6th Street Viaduct, LA City Council had to approve an extra fund, approximately \$700,000 for one year of graffiti abatement.
  - LA Magazine: “Members of the Los Angeles City Council found themselves debating whether events at the Sixth Street Bridge are why we just can't have nice things—weighing a proposed \$706,000 for graffiti removal and repair for a public works project not yet one month old, ABC7 reports. The stately arches of the 6th Street Viaduct, which connects Boyle Heights with the Arts District, attracted more than *oohs* and *ahs* since opening on July 10. Increasingly daring pedestrian and vehicular adventurers began to converge on the Instagram magnet to pull stunts, burn rubber, tag up, or make their mark in other ways.”  
<https://www.lamag.com/citythinkblog/now-the-6th-street-bridge-will-cost-l-a-700k-in-graffiti-clean-up/>
- The gondola built in Rio for the Olympics closed permanently only weeks after the closing of the 2016 Olympic games (<https://www.wired.com/story/rio-de-janeiro-favela-cable-car-gondola/>). The visual impact of this project, should it be built and subsequently run out of funding, would be huge. Safeguards must be in place if the project fails or the applicant decides that they will no longer operate and maintain it. Not only would the structures be an embarrassment and an eyesore, an abandoned system would fall into disrepair and pose a safety hazard. Should this project be approved despite all of our communities' concerns, there must be a substantial surety bond paid entirely by LA ART that will guarantee that every part of this project can be removed from our neighborhoods without costing taxpayers.

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## Traffic / Transportation

- The neighborhood around Savoy Street already experiences a lot of traffic and is a heavily accessed corridor. There is traffic from Cathedral High School, both everyday student pickup & drop-off and special events. There is traffic from people accessing the 110 FWY Stadium Way onramp and offramp. There is also traffic from Dodger Stadium games and events. On a typical game day, the traffic starts backing up on Bishops Road approximately 30 minutes before the game. For special or sold out games, the backup usually starts 1 hour before the game. For special events or opening day, the traffic can start backing up into our neighborhood 2 hours before the game. As residents, we are accustomed to planning around the Dodger traffic. We never thought we would have to think about the traffic flying over our heads. P702-60
- The Gondola Project does not make sense as a transit solution for Dodger Stadium games and events. It will simply displace traffic further into our neighborhoods and cause traffic jams around the gondola stations. It will worsen air quality impacts from tailpipe emissions in an already overburdened community. P702-61
- What happens if there are extra innings? Will The Gondola system be allowed to operate later than 12am or will there be only bus service in that case? If people do not want to ride the Dodger Stadium Express bus, they may take a rideshare, which would increase traffic in our neighborhoods. If the games end later than 10 or 10:30, many people who LA ART expects will take the gondola after the game to access transit at Union Station would need to take rideshare home because buses and trains stop operating at around midnight. P702-62
- A UCLA Mobility Study came to a different conclusion than the Traffic Study/VMT Analysis in the DEIR. "Transportation researchers from the University of California, Los Angeles (UCLA) used a state-of-the-art transportation simulation based on a Nobel-Prize winning model and found that the gondola has limited impact - less than 1% - in reducing traffic on major roads around Dodger Stadium on the night of a sold-out game. They also found that far fewer passengers would likely get to the gondola via public transit connections than LA ART claims. Without reducing traffic and increasing public transit connections, the gondola does little to change our air quality and reduce greenhouse gas emissions." (<https://www.stopthegondola.org/ucla-study>) The UCLA Study's findings appear more in line with common sense. P702-63
- We are concerned about the bus stop at Bishops Road and Broadway. Where would the bus stop be relocated during construction and where is the pedestrian access to the bus stop? The bus stop is used by residents and some Cathedral High students. P702-64

- If the GHG emissions reductions were calculated using overall trip length to Dodger Stadium, with an average trip length of 22.3 miles. The Gondola, however, only operates a 1.2 mile route. The VMT calculated should only include the 1.2 miles between Union Station and Dodger Stadium. The only transit it would provide is the 1.2 miles between the Alameda Station and Dodger Stadium, or the .6 miles between the Chinatown / State Historic Park Station and Union Station. The Gondola has no control over whether people will use transit to access the gondola stations. The mode share evaluation is based on the faulty assumption that there will be no wait times at the gondola stations. The estimates that only 25% will drive or use rideshare is based on faulty comparison to Crypto.com arena data. Transfers need to be taken into consideration. Crypto.com arena has direct access to rail, which has a shorter wait time than The Gondola. For many of the riders at Crypto.com, they do not need to make a transfer to another form of transit. For The Gondola, everyone who doesn't live in Chinatown or the Union Station area will need to make a transfer, which includes riders who live in the 90012 zip code which extends into the Downtown LA Civic Center.
- Most of Metro's Transit (bus and rail) stops at midnight. If the gondola operates until midnight, what happens if a game goes into extra innings?
- Construction road closures are significant in Chinatown, which is already burdened with traffic during rush hour, and when there is a major event at Dodger Stadium or LA State Historic Park. In our neighborhood on Savoy Street, we also have traffic from special events and daily student drop off and pick up at Cathedral High School. Fire and paramedic access would be compromised during road closures for construction.
- The Elton John concert ended at 11:15 pm. Would The Gondola have shut down at midnight in that case? Would concerts at Dodger Stadium be required to end at 10 pm?
- After construction is finished, would the same road closures be needed to replace major equipment in the elevated stations, including the Broadway Junction, which is an elevated, 98ft tall non-passenger station? Cranes would be needed to replace major equipment, and where would they be sited? Where would the equipment be staged? What is the frequency with which major maintenance would be needed even in the best case scenario in which there are no major equipment failures.
- It looks like the Broadway Junction would be built close to the property line on Bishops Road. This is already a problem area, as there is no sidewalk on this side of the road even though it is an official route to Dodger Stadium.

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P702-68

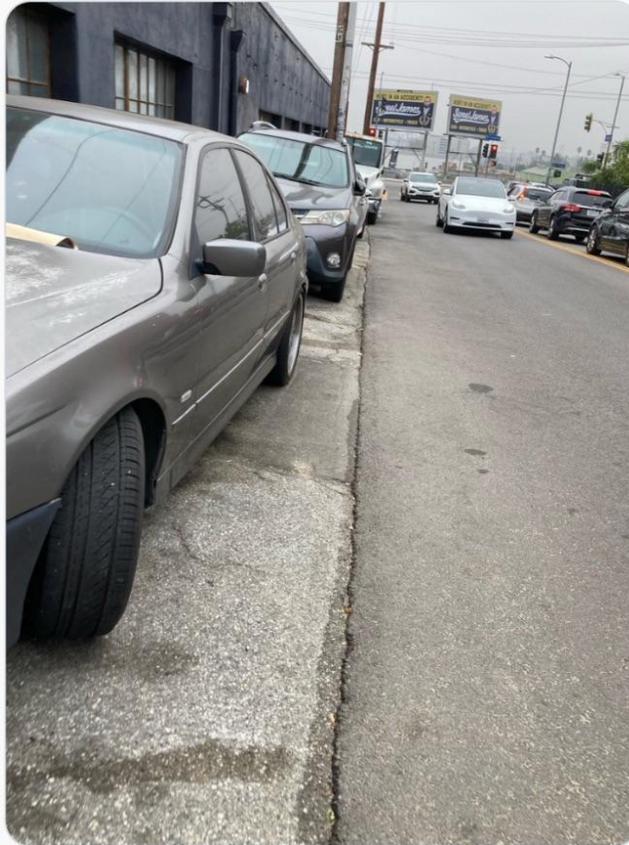
P702-69

P702-70



**Phyllis Ling** @aPhyllisLing · Oct 7, 2022

I snapped this photo yesterday. There's no sidewalk on one side of **Bishops Road**, so residents walk in the street between parked cars and oncoming traffic to get to the bus stop. **Sweet James billboards** are conveniently located at the end of the block.



**AileenB** @Aileen\_Bflo\_Cvl · Oct 6, 2022

What if pedestrians and cyclists who are injured by drivers started suing city governments that allow dangerous conditions to persist?

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P702-70

### **Official Route to Dodger Stadium at Bishops Road - No Sidewalk on One Side**

- If the gondola has a malfunction, thousands of people may choose to walk down from the Dodger Stadium gondola station from the Downtown Gate, onto Stadium Way and then walk along this route on Bishops Road, using the gondola cables as reference for how to get back to Union Station. There need to be wide sidewalks on this route versus the narrow, unmaintained sidewalks, or non-existent sidewalks. Even on Broadway, the sidewalks are mostly narrow until you get to Golden Dragon.



StopTheGondola  
@stopthegondola

...

@metrolosangeles, How about improving bike & pedestrian access before allowing McCourt to invade our public spaces & neighborhoods with this boondoggle gondola? The sidewalks around the Downtown Gate are a mess.



7:23 PM · Nov 9, 2022

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P702-70

### Sidewalks on Stadium Way Towards Downtown Gate

- On November 16, 2022, Metro’s Ad Hoc Olympics planning committee gave a presentation that indicated an interest in using Dodger Stadium as a park-and-ride lot for the Olympics, citing the positive experience with the recent MLS Championship match (<https://www.espn.com/soccer/major-league-soccer/story/4788859/mls-cup-final-in-l-a-to-have-no-parking-for-fans-due-to-usc-game>). The draft EIR does not address the impacts of using Dodger Stadium as a park-and-ride lot, whether for the Olympics, for major events at LA State Historic Park, or year round for rush hour commuters into Downtown’s Civic Center. This is a foreseeable use of that property that would be enabled and made much more frequent by The Gondola, and must be studied in the DEIR. Additional vehicle traffic into our neighborhoods could result in substantial increases in traffic, GHG emissions and pollution in our neighborhoods and in Elysian Park.
- The Dodger Stadium parking lots have 5 entrances. There are huge wide roads leading up to Dodger Stadium. This gondola is not solving the problem of going up a mountain that can only be accessed through only one narrow, windy, two-lane road.

P702-71

P702-72

Other alternatives, including improvements and dedication of lanes on the roads into Dodger Stadium to encourage access via other modes – bicycles/e-bikes, scooters, and walking – need to be studied in the DEIR.

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P702-72

- Operating The Gondola at maximum capacity for a full 2 hours before and after Dodger Stadium games and events seems unrealistic. In order to justify the VMT reductions, more information about how The Gondola system will be implemented is required including management of queues, the boarding areas, and crowds. In addition, ticket prices and the so-called ticket reservation system need to be disclosed. Logistically, operating at maximum capacity appears to be unrealistic at best.

- Station attendants have to intervene to bring a gondola cabin to a full stop any time a person with mobility issues needs to board the gondola. Can this really be accomplished without slowing down the entire system when cabins are supposed to leave each station every 23 or 25 seconds?
- We ask LA ART to explain how the passenger loading will be choreographed to make this an efficient and safe boarding process even when the system is operating at maximum capacity. And likewise for deboarding.
- How will gondola passengers who need their cabins to come to a full stop to deboard make this known to station attendants?
- How many station attendants will be needed at each gondola station to assist customers when the system is running at full capacity?

P702-73

- The gondola stations appear to be severely undersized, considering their intention to operate the system at maximum capacity for a full two hours before and after each Dodgers game. People do not arrive or leave Dodger Stadium evenly spaced throughout the two hour period before and after each Dodgers game. As residents, we observe that on our streets. The DEIR lacks crucial information about how crowds will be managed in the station and how they will be accommodated while waiting outdoors in very long lines. For example, will there be shade structures in the Union Station Forecourt, and how will they be arranged? Will the shade structures impact the views of historic Union Station? Will there be misting systems to provide cooling while people wait outdoors in long lines in the summer to ride the gondola?

P702-74

- No ticket pricing has been provided to support the claims that this will provide benefits to tourism. Does the price not matter?

P702-75

- The DEIR fails to describe the timed ticket reservation system that LA ART is relying on to manage wait times and crowds at their stations. Long queues are a common problem of gondola systems, and we are not aware of any gondola systems that

P702-76

serve sports stadiums of this capacity. The details of this reservation system must be disclosed in the DEIR to determine feasibility because crowds will impact safety, security and ridership of this system. We have major doubts as to the feasibility of a ticket reservation system, and whether one can be implemented in a fair and equitable manner. Unanswered questions include:

- Will the best tickets (closer to the game start time) be held back and reserved for VIPs?
  - How would people reserve tickets to leave via the gondola after the game ends, when games don't end at a set time?
  - What happens if people arrive late or early? Does LA ART anticipate that people arriving via transit will be able to arrive on time? How many staff will be needed to help customers who have problems with their reservations?
  - Will there be a waiting line for people who show up without reservations?
  - How many staff would be needed to manage the different queues they might need to manage for customers in different situations: those arriving early, late, on time, and without reservations? Will this not create a bottleneck? Is there space inside the stations for all of these queues?
  - Will a Ticketmaster-type system be set up to allow Dodgers fans to reserve their free tickets?
  - Will people with a paid membership to an exclusive club or people who hold a particular credit card be given early access to reserve tickets?
  - Will tickets be transferable?
  - Can LA ART prevent an aftermarket for gondola tickets from forming that makes it nearly impossible for "regular folks" to reserve their "free" gondola tickets, especially those at the most desirable times?
  - Will people be allowed to pay a fee to skip the line, similar to a fastpass at Disneyland?
  - Will people be able to reserve tickets if they don't have a computer or smartphone?
- The plans to deal with the massive crowds and queues at the stations before games and events must be in the DEIR. This is a major omission of essential information for evaluating impacts.
    - Where would the queues form, and how many staff would be needed to manage these queues? How would they manage people who are queuing at ground level, but need to use the elevators versus people who can go up the stairs or escalators? Not only would crowds be a safety hazard for the people in the crowds, they would impact street and pedestrian traffic around the

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P702-76

P702-77

gondola stations, perhaps limiting access to LA State Historic Park, Union Station, and El Pueblo.

- At the October 22, 2022 DEIR information meeting, LA ART's representatives stated that the station platforms had capacity for 150 people. This seems rather low for a system that is expected to board at least 80 people every minute. In terms of the Alameda Station, there appears to be some space for queuing at ground level on the Union Station side of the station, but not on the El Pueblo side of the station, which will have stalls set up for vendors. How will this imbalance of queuing on either side of the station impact the usage of both entrances?

- The Gondola project cannot control how people arrive to utilize it. A fancy gondola does not encourage more people to take transit to Union Station. Reliable, convenient, frequent, safe, and clean rail and bus service to Union Station will encourage more people to take transit to Union Station. And better management and expansion of the Dodger Stadium Express bus service with dedicated bus lanes all the way to the stadium will encourage more people to take transit to Dodger Stadium. The gondola simply provides a tourist attraction that encourages people to drive to Union Station and then take the gondola.

- The implementation of gondola systems for a given application and environment is very important and unique to each system due to local constraints. The lack of a clear operations plan is highly concerning and will impact the success of the system and the capacities that can be realized.

- In the Transportation Study in Appendix N, there is a discussion about the "customer experience factor" in riding transit and The Gondola, but only the positive attributes of The Gondola are discussed. This bias is not surprising. However, they also need to factor in the degradation of the customer experience that will happen when operating at maximum capacity for a full 2 hours before and after every Dodgers game. The analysis estimates a 20% increase in ridership of The Gondola due to the uniqueness and cool factor of the technology and being able to take in views. However, the cabins will be packed, and at night, the lighting in the cabins reflecting off of the windows will obscure any views outside of the cabins. Also, considering that a large number of DSE riders are protesting Frank McCourt's continued ownership of the parking lots, and Frank McCourt's involvement in The Gondola project, we believe there are additional factors that would reduce the ridership of The Gondola system. The customer experience of waiting in long lines, like at Disneyland, also may discourage usage of the gondola during the full 2 hour period after games and events.

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P702-77

P702-78

P702-79

P702-80

- The ridership estimate for The Gondola attributed to people visiting Los Angeles State Historic Park is nonsense. Metro L Gold line already serves the park and connects to Union Station. If you are arriving at Union Station via the Red or Purple Lines or the regional connector, it is much easier to transfer to the Metro L train than to walk all the way outside of Union Station to the gondola station in the middle of Alameda Street. You have to leave Union Station to get to the gondola's Alameda Station. Anyone using The Gondola to access LASHP is doing it for novelty reasons. This should be counted under tourism.

P702-81

- Gondola systems like this are designed for tourism and do not warrant the invasion of our neighborhoods and our LA State Historic Park. This quote is in reference to the Rio gondola built for the 2016 Olympics: "spectacularized security and infrastructure investments were "*para inglês ver*" — "for the English to see." This phrase dates back to 1831 when Brazil's government only pretended to stop its slave trade to appease the (suddenly righteous) British. Today, it describes projects that are superficial rather than substantive, designed to impress tourists and investors while leaving underlying problems locals face daily intact."

P702-82

<https://knock-la.com/from-rio-to-la-the-olympic-games-are-the-exclusion-games-c5bec60a65f1/>

- This system provides views that are more or less already accessible at Dodger Stadium. Most of the route is less than 50 feet above the ground. There is a high probability of this system being mocked and labeled as "overrated" and too expensive for most tourists.

P702-83

## Construction Traffic and Staging for Maintenance/Repairs

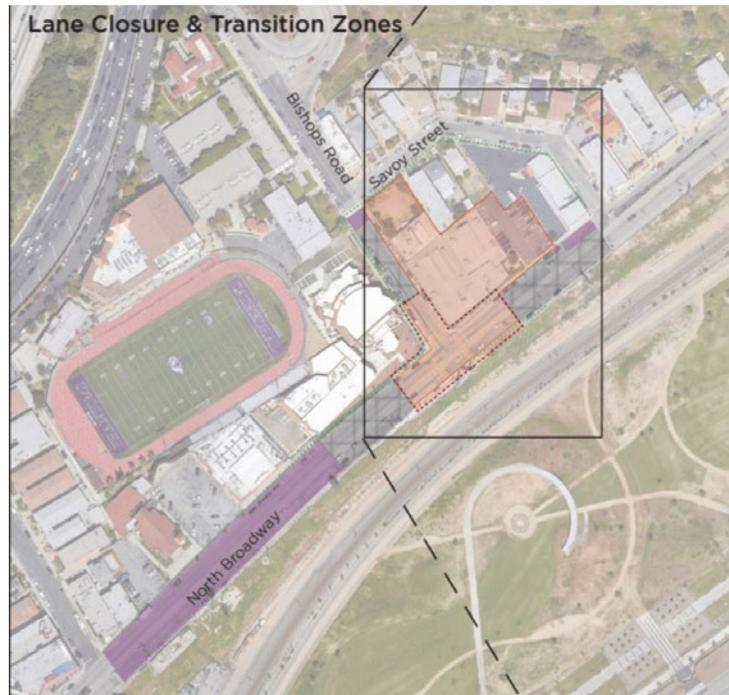
- During deck removal at the Broadway Junction, which is estimated at 3 weeks, will all of the traffic coming south on Broadway be funneled into our residential Street Savoy Street? This is a major thoroughfare for rush hour traffic into Downtown LA's Civic Center. If Broadway is closed and opened only to residents, how will visitors be able to drive into the area?
- The construction documents for the Broadway Junction do not show where the drive motor would be located. Is that at ground level?
- In the DEIR, it states, "Annual maintenance activities may require crane access at tower locations, including the potential to require the temporary closing of traffic lanes." Regular maintenance for this project will add to existing traffic congestion. Enhancing and expanding the Dodger Stadium Express service will not.

P702-84

P702-85

P702-86

- “For multi-level stations, a strategy to change heavy machinery and parts (i.e. gearboxes, motors and etc.) will be required in case parts are broken. For instance, if a station is 4 storeys high, project proponents must design and have strategies in place to remove and deliver machinery.”  
([https://www2.trafikkontoret.goteborg.se/resourcelibrary/underlagsrapport\\_best-practices.pdf](https://www2.trafikkontoret.goteborg.se/resourcelibrary/underlagsrapport_best-practices.pdf))



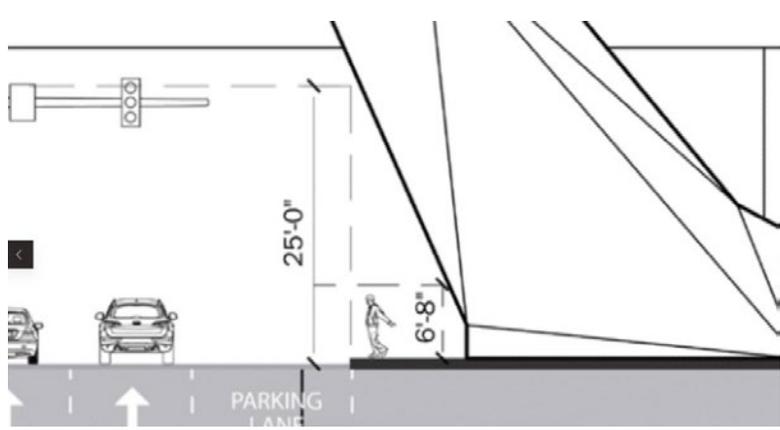
**DEIR Image - Road Closures at Broadway Junction during Construction**

P702-87

## Pedestrian Impact

- Alpine Tower requires that a traffic lane on Alameda Street be sacrificed in order maintain a sidewalk around the base of the 200 ft tall gondola tower, which sits at the edge of the existing curb/sidewalk. The tower, however, still crowds the sidewalk by leaning into the airspace above the sidewalk. This looks like a very unpleasant pedestrian experience. The sidewalk needs to be wider, but this project is already taking space on our streets that could be used for wider sidewalks, bus lanes, and bike lanes. What is the impact of this tower, the space it needs on the street, to planned improvements to Alameda Street? Does this mean a protected bicycle lane or a bus lane can never be on this side of Alameda Street?

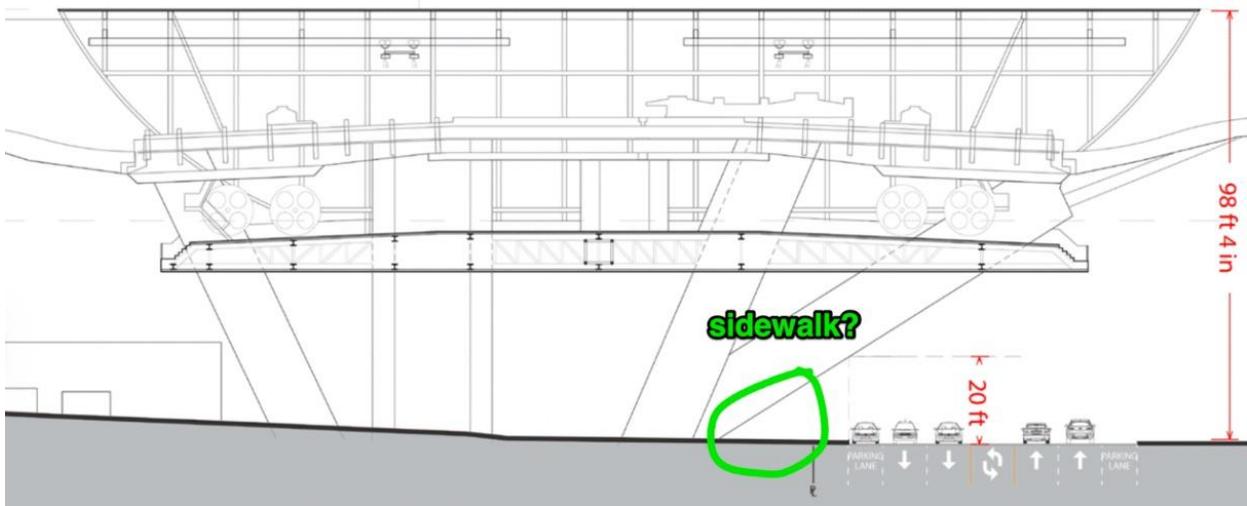
P702-88



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P702-88

**Close Up of DEIR Image Showing the Base of the Alpine Tower**

- **Broadway Junction:** More information is needed on the sidewalks around the Broadway Junction, especially at the area indicated in the image below. How high is the overhead clearance of the support column, how wide is the usable space of the sidewalk? There is a bus stop located at this location on Broadway. Will this interfere with a bus stop shelter? How wide will the sidewalk be along Bishop's Road? Currently, there is no sidewalk, even though it is an official route to Dodger Stadium.



P702-89

**DEIR Image of Broadway Junction with Notes**

## Parking study

- Many of the parking lots identified in the parking study are inappropriately counted as parking in Chinatown that would be available to gondola visitors. These lots include parcels that are already slated for development, lots and garages that close

P702-90

too early for most events at Dodger Stadium, and spaces in the Union Station parking garage that are already reserved for other uses. We respectfully ask that LA ART provide an updated count of the available parking without these spaces rather than offering a vague assurance that there will be plenty of parking even if several parking lots in Chinatown are redeveloped.

The parking lots that are already slated for redevelopment include the lots that LA ART labeled as Lots 21, 24, 28, and 44 in their map below.



**Parking Lot Map Taken from DEIR**

- **Lot 21**  
County "Lot 45".  
<https://la.urbanize.city/post/county-owned-parking-lot-chinatown-eyed-development>

cont'd  
P702-90

<https://www.lachinatowncc.org>

"We came together with like minded people to turn Lot 45 into housing that will serve the Chinatown community. We are happy to announce that at the request of Supervisor Hilda Solis 1.5M was given to LA County by Representative Gomez to do a study on how to turn Lot 45 into affordable housing in Chinatown. We are aiming for 400 hundred extreme low-income to low-income units to be placed on Lot 45. We will share more details as things continue to develop. It was a great day today! May 4, 2022 "

- **Lot 24 - 643 N Spring St.**

<https://la.curbed.com/2018/4/19/17254338/studio-gang-los-angeles-chinatown-tower>

<https://planning.lacity.org/pdiscaseinfo/document/NDU1NzA0/6d189c69-33a8-4be1-9414-6b0ce5c25431/esubmit>

- **Lot 28 - 717 N Hill St.**

<https://la.urbanize.city/post/411-apartments-retail-pitched-chinatown>

"Eight-story building slated to replace parking lot on Hill Street"

"The proposed project is among the largest new housing complexes proposed in Chinatown, eclipsing only by the 725-unit College Station development near Los Angeles State Historic Park."

- **Lot 44 - 211 Alpine St.**

<https://la.urbanize.city/post/developer-retools-chinatown-project-toc-guidelines>

- In addition, **Lot 48** on the map is Los Angeles State Historic Park's parking lot, which closes at sunset. This lot should not be included unless the park has committed to staying open until at least 12:30 am for every game and event at Dodger Stadium to allow people to remove their vehicles from their gated parking lot, which seems unlikely.
- **Lot 37**, the Metro Chinatown Station Parking Garage, should also not be included. Residents at Metro Lofts senior apartments, including seniors with mobility issues, rent spaces there monthly, and already have trouble finding parking there. They pay for the right to park in that lot, but it doesn't guarantee them a space.

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P702-90

- There are several other parking garages in Chinatown that currently close early or are closed on holidays, and their inclusion in the count of available parking for gondola patrons is questionable unless those owners/operators have stated a willingness to modify their operations to serve gondola riders.

P702-91

- **Union Station Parking Count:** Spaces reserved for Metro Emergency Vehicles, Facilities Maintenance, Maintenance Carts, Metro Board and Staff, 10 Minute Waiting Zones, Childcare pickup and drop off, and other reserved uses appear to have been counted as available parking for gondola customers. We ask for an accurate count of available parking that does not include spaces reserved for other uses.

P702-92

- **Flaws in pre-COVID Calibration**

- The parking study uses 2012 data at Union Station to calibrate the September 2021 survey to estimate the ridership that would have existed had there not been a COVID-19 pandemic. This presumes that the park-and-ride activity at Union Station did not increase between 2012 and 2019, which is inconsistent with their claim that there will be increased demand for the gondola between 2028 and 2040 due to build out of the public transit network. The Expo Line (to USC and to the beach) opened on April 28, 2012, and the Foothill extension of the Gold Line to Azusa opened on March 5, 2016. Yet, no adjustments were made to account for the differences in the public transit system that should have attracted more riders between 2012 and 2019.
- The 2012 calibration using parking data at Union Station does not account for increased activity at Cathedral High School, which only returned to pre-pandemic levels in September of 2022. In September 2021, the high school did not have football games with full attendance, if at all. But in 2022, football games and events at the school resumed with full attendance, including dances, theater performances, and other sporting events, which often take up all of the parking in our neighborhood on Savoy Street, Bishops Road, Cottage Home Street,, and along Broadway. At peak times, such as Friday night football games, which would have been captured in the September 2021 survey were it not for the pandemic, people park in front of fire hydrants, at street corners, and block driveways. None of the street parking in our neighborhood and along Broadway between Solano Avenue and Bernard Street should be counted in this parking study as “available

P702-93

parking." On Friday, September 16, 2022, all of this parking was fully occupied for a football game at Cathedral High School.



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P702-93

**Parking By Cathedral High School, Friday, September 16, 2022**

- Our neighborhood is already burdened by traffic at Cathedral High School on an almost daily basis, especially during student pick up and sporting events. Parking enforcement takes more than 1 hour to arrive, even when our driveways are blocked. This is both a nuisance and a safety hazard for residents.
- Much of the paid parking in Chinatown is currently inexpensive street parking or parking lots that charge \$5 all day. This will change if the gondola patrons choose to park in Chinatown to ride The Gondola to Dodger Stadium. LA ART has no control over the mode of transportation that their customers use to access their system, but it is a foreseeable outcome that many of The Gondola's customers will choose to drive rather than take transit to its stations. Metro's recent challenges attracting riders back to transit following the sharp decline during the COVID-19 pandemic have been well publicized and lead to the establishment of the transit ambassadors

P702-94

program. Because the gondola system is marketed as a futuristic, luxury transit option, it's highly likely that most riders who would ride the private gondola, but not take the free Dodger Stadium Express, would opt drive to a gondola than rather than take public transit for their entire journey.

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P702-94

- If Chinatown is turned into a park-and-ride lot for The Gondola, businesses in Chinatown that need inexpensive street parking for their customers, especially the mom and pop legacy businesses, will be hurt. Customers may decide to go elsewhere to buy pastries or herbs, rather than to deal with the hassle and expense of parking in Chinatown. The last full-service grocery stores in Chinatown closed in part due to parking fees.
  - “Parking and a new landlord were also a factor for Ai Hoa Market, which is closing and relocating to South El Monte by the end of the year. Linda Hang, 41, the daughter of the market’s owners, says their business suffered when the property owner started charging them several thousand dollars a month for use of the parking lot.”  
<https://www.latimes.com/california/story/2019-09-22/chinatown-gentrification-grocery>

P702-95

## Green House Gas (GHG) Emissions

- The Gondola Project involves the construction of massive concrete towers and stations to support this new infrastructure. The DEIR does not consider the GHG emissions from the manufacture of concrete that will be used in The Gondola Project. The manufacturing of concrete is a major source of GHG emissions (<https://www.nature.com/articles/d41586-021-02612-5>). In comparison, the preferred alternative studied in the DEIR of expanding the Dodger Stadium Express shuttle buses does not require the building of new concrete structures. Nor are any new roads proposed.
- The GHG emissions estimates for The Gondola are estimated using the flawed VMT analysis provided by Fehr & Peers. (See Traffic section for more information.)
- The GHG emissions estimated for The Gondola assume that there is funding to pay for energy sourced from LADWP’s Green Energy program. Because LA ART has publicly stated that a funding plan is still under development, this is a flimsy assumption. Therefore, the DEIR must analyze an equally, if not more likely scenario, which is that LA ART may need to purchase energy from conventional

P702-96

P702-97

P702-98

LADWP sources if The Gondola suffers cost overruns, which happens more often than not with transit projects, and calculate GHG emissions under this scenario.

- It is confusing whether this project is committing to using air conditioning in the cabins or not, which should impact GHG emissions. Air conditioning may also impact usability of the system in the summer because it may be too dangerous to allow people to ride in the cabins with windows that don't open..
- On page 60 of Appendix J - GHG Technical Report, footnote #4 states, "Estimated annual electricity usage provided by SJC Alliance and was reduced by the amount of electricity anticipated to be used by the park amenities. " and "Estimated electricity usage (kWh/yr):6,881,212." We ask that explanation be provided as to how the estimated electricity usage was calculated. Was air-conditioning in the cabins included in this figure? 6.8 GWh is enough to power approximately 1000 homes for an entire year in the LADWP service region (according to LADWP average of 545 kWh/month per home). Much of the gondola operations near capacity will happen during peak power demand times, 4pm - 9pm. We are concerned that this concentration of new power demand in our neighborhood will put additional strain on our electric grid, and that's with very few electric cars in our neighborhood charging on the grid. There were multiple flex alerts in the summer of 2022 during which residents in Echo Park and Los Feliz lost power for many hours due to overwhelmed equipment.
- Ridership estimates are provided on page 65. Without any estimate as to what tickets may cost for tourists and anyone outside of the Community Access Program Area (Historic Cultural North Neighborhood Council boundaries, which includes Chinatown, Solano Canyon, El Pueblo, Victor Heights, and the William Mead area), there cannot be a ridership estimate. The assumption being made is that ridership is price insensitive, which is false. This is another reason why this DEIR has been released prematurely, before the project has been adequately evaluated for feasibility, including financial feasibility. In the absence of an estimate for ticket prices, there should at the very minimum be a range of ridership numbers presented, not just a single number. As mentioned in other sections of this comment letter, there are several other issues that will affect ridership that are not related to ticket prices such as management of queues and the ticket reservation system.

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P702-98

P702-99

P702-100

- The GHG emissions reductions are overstated and overly optimistic. This system still consumes electricity that has to be generated somewhere. How much electricity will be wasted if this system is running empty most of the day? This is not disclosed in the Draft EIR. At maximum capacity, this system is estimated to use 2.5 megawatts of energy, which is approximately enough electricity to power 2000 homes. Does that include air conditioning for the cabins during the summer months? This is not clear in the DEIR.

P702-101

- Pg 104 - Disagree with many conclusions in the table.
  - #1 - This project will be damaging to small businesses in Chinatown that don't have parking for their customers.'
  - #2 - This is private transportation, not public transportation.
  - #6 - If The Gondola is a last mile option to access Elysian Park, then why do people need another last mile option, a mobility hub with bicycles at Dodger Stadium, to access Elysian Park? This is because The Gondola is NOT a last mile option and cannot be described as such. Users can only enter and exit the system at intervals that match those of light rail. Light rail is not a last mile option and neither is The Gondola. LA ART must stop describing The Gondola as a last mile option. Buses are a last mile option.

P702-102

- Pg 105 - Disagree with many conclusions in the table.
  - #7 - This project does not adapt to climate change in that during the summer months, the gondola system will be susceptible to shutdowns during heat waves. Electric buses also may need to shut down during heat waves, but can continue running longer. There are not as many safety issues with running electric buses when it is hot outside.
  - #8 - In other words, this project is being tested on communities of color who have already been divided by transportation infrastructure by redlining.
  - #10- This project destroys habitat at the entrance of LA State Historic Park.

P702-103

## Wildfire Safety

- The report on wildfires in the DEIR does not address the impact of the gondola on firefighting – in particular water dropping helicopters. Our neighborhood has frequent brush fires on Radio Hill, especially during the summer. Water dropping helicopters often fly very low over our homes. Would their flight paths be impacted by the gondola over our neighborhood?

P702-104



**Phyllis Ling** [redacted] · Aug 7, 2022



The neighborhood by Radio Hill is not a good place for a **gondola**. Homes have been at the edge of Elysian Park for over 100 years. We need water-dropping **helicopters** to fly over our homes. We don't need McCourt's **Gondola** to Dodger Stadium flying over our homes! [#StopTheGondola](#)



**Water-Dropping Helicopter Over Savoy Street & Radio Hill  
August 2022**

cont'd  
P702-104



**Water-Dropping Helicopter Over 455 Savoy Street, August 2022**



**Water-Dropping Helicopter Over 451 Savoy Street, August 2022**

cont'd  
P702-104

## Environmental Justice

- This project will increase the impacts of air pollution from vehicle emissions in an area already overburdened by air emissions.
- As residents, we are being asked to shoulder the burdens and negative impacts of this project in order to serve a greater good, but we don't believe the case has been made that there is a benefit to the broader community. Traffic will not be helped, it will just be displaced into our communities, according to a UCLA Mobility Study [<https://www.stopthegondola.org/ucla-study>]
- Need to fix the basics, invest in other less costly and less invasive/destructive options before investing all of this time and resources into this project that does not benefit our communities. Add bike lanes, fix sidewalks, build an escalator and staircase up the hill to Dodger Stadium. We support the preferred alternative, the Dodger Stadium Express bus service, but with modifications including electrification and more pickup locations, similar to the shuttle buses to the Hollywood Bowl or the LAX Flyaway bus. With The Gondola, LA ART is shifting the burdens of traffic and parking onto our communities and Chinatown. This is a huge injustice, as we are already burdened with the 110 FWY and the Hill Street/Civic Center offramp cutting

P702-105

P702-106

P702-107

through our communities. Our businesses need more support, not for this gondola to drive their existing customers away because they can't find parking.

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P702-107

- Our last full service supermarket closed, in part, because the fee for their parking was going to be increased. If this gondola project is approved, we could soon find it impossible to find street parking. The paid parking lots, instead of having signs that say "\$5 all day" will say "\$20 all day". This would be extremely detrimental for elderly people, whose families come to visit them on weekends, go to restaurants and bring them groceries and supplies. It would also hurt many disabled people who can park at parking meters for free. In 10 years, you might see many of our legacy and community-serving businesses close down and replaced with businesses that cater specifically to tourists. These are the unintended consequences of allowing Frank McCourt to turn Chinatown into Dodger Stadium's parking lot.
  - "Linda Hang, 41, the daughter of the market's owners, says their business suffered when the property owner started charging them several thousand dollars a month for use of the parking lot."

P702-108

<https://www.latimes.com/california/story/2019-09-22/chinatown-gentrification-grocery>

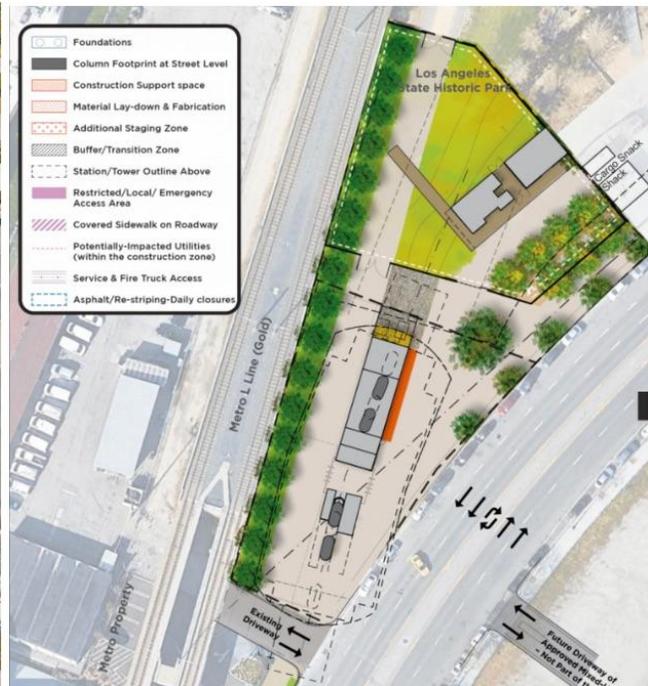
- Chinatown has almost no bike lanes. This is probably because our communities were redlined and used as shortcuts for people driving into Downtown Civic Center. Our major north-south streets would have to lose a lane of traffic in order for there to be a bike lane, and this would impact traffic for commuters in and out of Downtown. Hill Street is like an onramp/offramp for the 110 FWY.
- The draft EIR does not include an inventory of the trees that would have to be removed for this project. It appears that oak trees near a hill in the park, which flies only 26 ft above the ground at that point, would have to be cut down. Aren't oak trees protected?
- Contrary to what the developer says, this gondola project would have a dramatic, negative impact on our experience in the park. It would clutter our open skies. It would place an imposing 98 ft tall gondola station at the entrance of the park. As you walk into the park, 5-ton, 40-person gondola cabins would fly 40 ft over you. That would be your first experience as you walk into the park.
- Destruction of the entrance to LA State Historic Park, including the destruction of the grove of trees and the end of the riverbed at the entrance of the state park, in order to locate restrooms and concessions, is a huge environmental injustice.

P702-109

P702-110

P702-111

P702-112



**Left: Google Earth View Annotated with LA ART's Changes to Park Entrance**  
**Right: Proposed Changes to LASHP Entrance - Image Taken from DEIR**

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P702-112

- LASHP was a hardwon environmental justice victory. The Gondola could be iconic, but in a very bad way (<https://www.latimes.com/california/story/2020-11-26/proposed-aerial-tram-for-dodger-fans-ignites-controversy-at-los-angeles-state-historic-park>). Allowing this gondola to invade our park would send a clear message that the park does not belong to the community; it belongs to a billionaire developer. The gondola's massive towers and stations would serve as an iconic monument to injustice. Unlike the Metrocable in Medellin, which was considered symbolic of the government's investments in public infrastructure, the LA ART Gondola would be seen as a betrayal of our communities.

P702-113



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P702-113

## A Park is by the People

*A Park is by the People* is a monument to the civic labor that willed the Los Angeles State Historic Park into being. It is intended to make a public record of the herculean, but often forgotten, work that goes into changing the public idea of what land could be.

**Rosten Woo** is a designer, writer, and educator living in Los Angeles. He produces civic-scale artworks and works as a collaborator and consultant to a variety of grass-



**Screenshot of Image in the Park - Monument to the Creation of the Park**  
(<https://lastatehistoricpark.org/art-in-the-park/>)

- LA ART states repeatedly in the DEIR that The Gondola flies over the "western edge" of the park, but that's completely false. It travels over the heart of the park, over a very popular hill where people play and gather. Kids roll down the hill like logs. People sit and dogs play with each other. How are you supposed to relax and enjoy yourself if

P702-114

every 13 to 25 seconds, there's a massive cabin full of people flying less than 26 feet over you with people literally looking down on you?



**Photo - Popular Hill at LA State Historic Park  
The LA ART Gondola would fly 26ft over this hill.**

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P702-114



cont'd  
P702-114

### **Close Up of Image in DEIR - Rendering of Gondola Cabin Flying Over Popular Hill at LA State Historic Park**

For residents who live in a dense urban environment, LA State Historic park is an escape and a hospitable environment, especially for those who have dogs. Walking a dog on Chinatown streets can be unpleasant. Sidewalks are narrow, have broken glass, have random garbage/food on the ground. The park is a place where people gather and dogs can interact with other dogs. It's a place where friends and families can get away and play. To add a massive gondola station at the entrance of LASHP that people will have to navigate around or under, and gondola cabins flying very low, as low as 26ft overhead, is a huge invasion and incompatible with current uses of the park. The gondola cabins, with their advertising on the exterior, will also be visually invasive.

- The construction of the Chinatown / State Park Station would close the main pedestrian entrance and the general area by that entrance for over a year. People will either need to drive or will cross Spring Street farther north, where there is no crosswalk.

P702-115

- Don't hold the bridge hostage.
  - LA ART is offering to build a bridge between Broadway and LA State Historic Park, but there is still no funding plan or budget for the gondola, so can they even contribute funds to a bridge? Tickets will apparently be free for Dodgers fans. There is no estimated ticket price for tourists. Apparently Frank McCourt intends to donate this project to Climate Resolve and is not going to pay for or finance this project. Who, then, is going to pay for it, and will the eventual owners be able to contribute funds to build the bridge?
  - The Gondola has nothing to do with the bridge. There is no reason to link these two projects together.
  - We want the bridge, not the gondola. We currently have to walk almost a half mile to walk to the park, even though we are across the street. We ask Metro, city, and state leaders to actively seek funding for the bridge from Broadway into LA State Historic Park because it will actually improve equitable access to parks for "underparked" communities, unlike the gondola, which only provides access to the Dodger Stadium parking lot.

P702-116

- LA ART claims that The Gondola provides access to parks to "underparked" communities, but the parking lot at Dodger Stadium is not Elysian Park. Elysian Park is a sprawling hilly park. It is disingenuous to claim that the gondola provides access to Elysian Park when it drops people off at the far eastern edge of the parking lot.

P702-117



cont'd  
P702-117

**LA ART's Route Map Laid Over google Map Showing Elysian Park. Elysian Park is big, hilly, & tough to access from the gondola station. What LA ART calls Elysian Park on their map is actually Parking Lot 2 at Dodger Stadium.**

- Our communities already suffer from decisions of the past, including the decisions to divide Solano Canyon with the 110 FWY and split Chinatown with the Hill Street offramp, which is basically a shortcut for the benefit of Downtown and City Hall employees. Now, with this project, LA ART is proposing to cut through our communities' skies, the airspace over our homes and the state park that is an asset from decades of advocacy by both the Chinatown community and park activists.

P702-118

## Wildlife

- We are concerned that the noise from the Broadway Junction was not evaluated in terms of scaring away wildlife in our neighborhood, especially small birds. We see many small birds in our neighborhood because we are sandwiched between Elysian Park and LA State Historic Park.
- It appears that mature trees will need to be cut down at the entrance of LA State Historic Park. We are concerned about the loss of habitat for birds, butterflies, and other wildlife at that end of the park. By cutting down those trees, less wildlife will be at the southern entrance of the park, which is the most accessed portion for people arriving on foot or by transit.

P702-119

P702-120

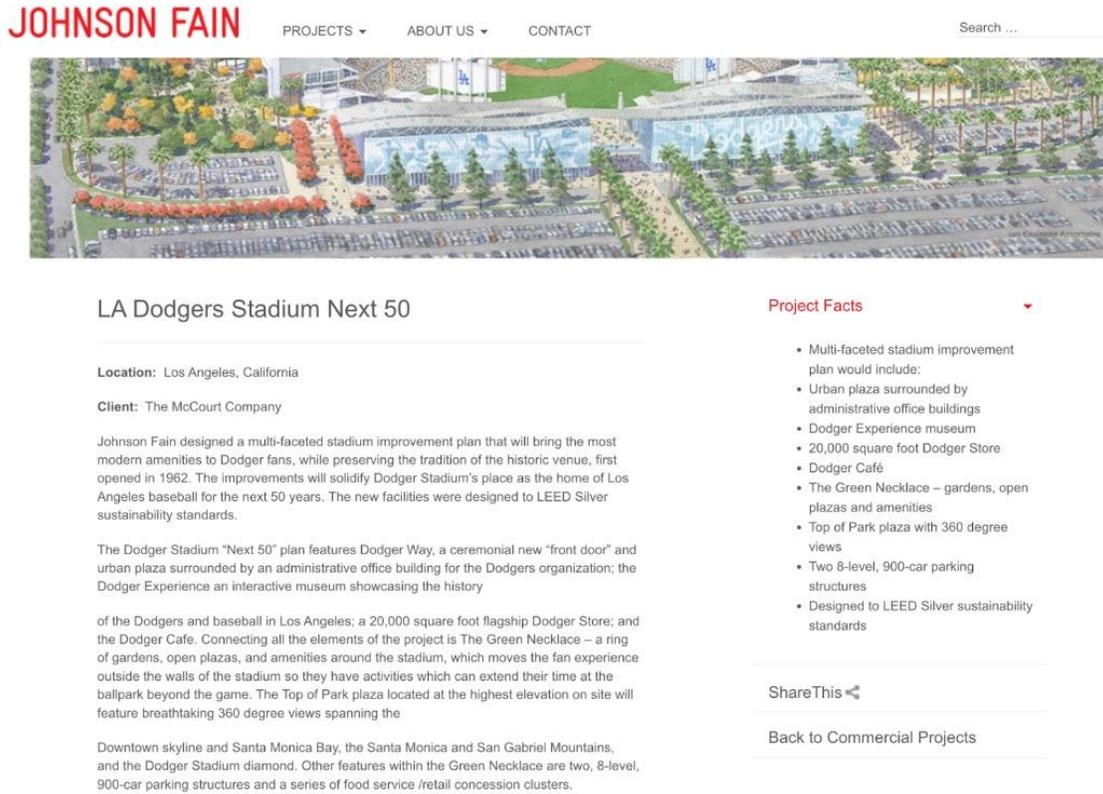
## Future development

- This project will lead to future commercial development in Chavez Ravine, without community input and without disclosure to the community. This is a foreseeable consequence of The Gondola, especially considering policies and laws that incentivize development near major transit stops. The Draft EIR fails to provide an analysis of the environmental impacts of development in Chavez Ravine. While The Applicant claims that there are no current plans for development, news articles that reported the terms of the sale of the Dodger Stadium parking lot do.
  - "How Frank McCourt Made \$2 Billion From The Los Angeles Dodgers And Team Remains Saddled With Debt"
  - ""In addition to another sports facility, the potential property uses cited in the document include homes, offices, restaurants, shops, entertainment venues, medical and academic buildings, and a hotel and exhibit hall."  
<https://www.latimes.com/sports/la-xpm-2012-may-04-la-sp-0505-dodgers-land-20120505-story.html>
  - "Mccourt has the right to sell his 130 acres to Guggenheim for another \$150 million, or can buy back part of the land in order to build a sports venue there."  
<https://www.forbes.com/sites/mikeozanian/2013/06/15/how-frank-mc-court-made-2-billion-from-the-los-angeles-dodgers-and-team-remains-saddles-with-debt/?sh=40ac62921249>

P702-121

- Next50 Plan - Johnson Fain

<https://johnsonfain.com/projects/architecture/commercial/la-dodgers-stadium-next-50/>



cont'd  
P702-121

### Screenshot of Johnson Fain Website - LA Dodgers Next 40

- Prior to turning the land into the Dodger Stadium parking lots, there were plans to build public housing on that site. Public housing was the reason the residents of La Loma, Bishop, and Palo Verde were evicted from their land, which robbed them of their opportunity to build generational wealth. The descendants of this area should have a say as to what happens to this land should it no longer be needed for Dodger Stadium parking.
- The Draft EIR also fails to provide analysis of the environmental impacts of turning the Dodger Stadium parking lot into a park-and-ride lot for events at LA State Historic Park and for access to Metro's regional rail network at Union Station. The use of Dodger Stadium as a park-and-ride lot was discussed at Metro's November 16, 2022 Ad Hoc Olympics Committee meeting. This is yet another foreseeable use of The Gondola that would bring additional traffic

P702-122

P702-123

congestion, green house gas emissions, and pollution into our already overburdened neighborhoods.

- This project will likely result in the loss of the 100+ housing units that were planned for the 1201 N Broadway site, where the Broadway Junction would be located. The DEIR shows a rendering of a possible housing development incorporated into the Broadway Junction, but building housing at a station, especially one that includes the drive motor, involves vibration and noise isolation and additional engineering, which means additional cost. Given that no funding plan has been presented for this project, we are skeptical that LA ART would be able to build a project that incorporates housing into that site.

cont'd  
P702-123

P702-124

## SB44

- This is not a public transportation project. It is a private transportation project that serves a private property. In addition, Dodger Stadium is not an Olympics venue. For these two reasons, we do not believe that this project qualifies for SB44, and we object to the use of this law as yet another means to fast-track this project.

P702-125

## Preferred Alternative - Enhanced Dodger Stadium Express (DSE)

- On page 14 of Appendix N - Transportation, "While the DSE has travel time benefits associated with the bus lanes on Sunset Boulevard, it experiences congestion at gate entrances to Dodger Stadium because there are no dedicated lanes at the entrances, and the DSE and transportation network companies (TNC) like Uber and Lyft use the same parking booth as the DSE". These problems must be resolved. There should be dedicated bus lanes at the entrances and DSE should not share a booth with Uber and Lyft. We hope that the managers of the parking lot can make these improvements.
- Replacing the DSE with electric buses will also make this zero emissions transit.
- We also suggest expanding the DSE service with additional satellite locations where people can access the service, similar to how the LAX Flyaway shuttle can be taken from several locations. This would eliminate transfers for many people. Metro knows how important it is to eliminate transfers. Metro spent billions on the regional connector to provide people with a "1-seat ride." The DEIR only considers stationing buses at Union Station, which means that transfers are almost always a part of accessing Dodger Stadium via The Gondola.

P702-126

P702-127

## Additional Comments

- It is stated repeatedly in the DEIR that gondola systems are proven technology and operating successfully around the world as urban rapid transit. The use of aerial cable cars for urban transit still has many open questions and gaps in research according to a scientific literature review by Flesser and Friedrich published in October 2022 entitled, "Are We Taking Off? A Critical Review of Urban Aerial Cable Cars as an Integrated Part of Sustainable Transport." (<https://www.mdpi.com/2071-1050/14/20/13560>). Proponents of the LA ART Gondola often point to the transformative effects of the gondolas in Medellin, Colombia. The changes in Medellin, however, were also supported by complementary investments that were six times the cost of the Metrocable gondola. "In contrast to previous studies focusing mainly on cable car costs themselves, a study revealed that the complementary costs for urban improvement projects in Medellín were approximately six times the costs of the cable car itself, not considering the additional expenses for local social programs."
- We disagree with the conclusion in Appendix H - Energy Technical Report. We contend that The Project would result in a significant impact due to unnecessary consumption of energy resources because this entire project is unnecessary. (See Preferred Alternative - Enhanced Dodger Stadium Express (DSE).)

P702-128

P702-129

## Conclusion

This project is not for our communities. This project is for Frank McCourt who is a developer, it's for the Olympics, which is for developers, and it's for the politicians who are in the pockets of developers. Frank McCourt wants to build 40 ft over our neighborhood.

There have been so many lies about this project from LA ART, withholding of information, and misleading statements. But we know what this project is really about. Frank McCourt has long wanted to build a retail and entertainment complex at the Dodger Stadium parking lot. A permanent transit stop would provide incentives to build bigger there. This gondola is to serve those ambitions and not the residents and businesses of the surrounding communities.

This project makes no sense for serving events and games at Dodger Stadium. At maximum capacity, it can only handle a fraction of the attendance at Dodger Stadium. Most people will not want to take public transit home late at night and will drive to the gondola instead.

P702-130

P702-131

Maybe some will take transit, but these are probably the same people who would have taken the Dodger Stadium Express, which we support.

cont'd  
P702-131

The preferred alternative, enhancement of the Dodger Stadium Express bus service can be improved and expanded further than was explored in the DEIR. The bus service also does not have any of the negative impacts associated with The Gondola, including unavoidable construction noise and vibration, destruction of the entrance of LA State Historic Park, operating noise in our neighborhoods, invasion of privacy, safety and security risks, shifting of traffic and parking burdens from Dodger Stadium into Chinatown, and transfer of public property to a private entity. Rather than force this urban cable car experiment on our communities, an experiment we never asked for, there should be a comprehensive study to improve access to Dodger Stadium, a study that includes not only the expansion and electrification of the Dodger Stadium Express bus service, but also more bike lanes, better sidewalks, and an escalator up the hill for pedestrians. Clearly, the Dodger Stadium Express needs to continue to be available in order to serve as a backup to The Gondola, so let's build upon what we already have, our existing infrastructure (the many wide roads into Dodger Stadium), and make it much better.

P702-132

This project is a shame. If you're standing up and supporting this, you're teaming up with Frank McCourt who bankrupted the Dodgers. You're teaming up with those who erased the original Chinatown to build Union Station. You're teaming up with those who evicted the residents of La Loma, Bishop and Palo Verde for public housing, and then gave the land over to build Dodger Stadium. You're choosing that side of history.

P702-133

We respectfully ask that LA ART and Metro respond to all of our comments throughout this letter, not simply the specific impacts listed. We ask this project be placed on hold until a feasibility study is published and a funding plan is released. Certainly, if the project is well-defined enough to be in the environmental review, there is no reason that these two documents cannot be made public, even in draft form. A new DEIR should be released that addresses the omissions and shortcomings identified in the comment letters.

P702-134

Our communities should not be sacrificed for an aerial transit experiment. Rather than create "a cultural landmark that enhances the visibility of Chinatown" as LA ART's supporters contend, The Gondola would serve as a monument to the modern-day exploitation & marginalization of our communities by a billionaire developer & our elected leaders. The LA ART Gondola would be an embarrassment and an iconic symbol of injustice.

P702-135

The solution is for Metro and our elected leaders to deny approval of this project. Work with our communities on common sense solutions to improve traffic and provide other options to get to Dodger Stadium. Please STOP THE GONDOLA.

Sincerely,

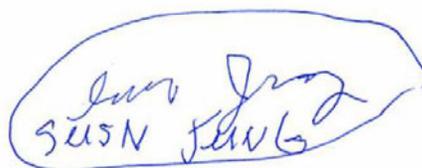
  
AMY HO

  
PETER HO

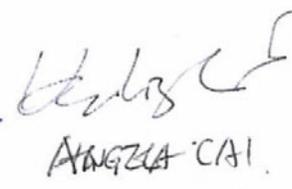
  
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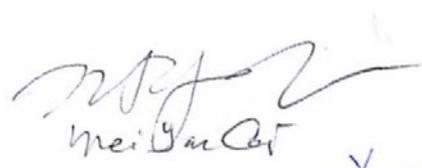
  
EDWIN LI

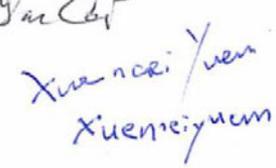
  
TANY LING

  
SUN JUNG

  
RON FRANK

  
ANGELA CAI

  
Mei Garret

  
Xuencai Xuen  
Xuen Xuen

  
January 17<sup>th</sup>, 2023

cont'd  
P702-135

Albert Ho - signed electronically

Myra Welsh - signed electronically

cc Karen Bass, Mayor of Los Angeles  
cc Hilda Solis, County Supervisor District 1  
cc Eunisses Hernandez, Councilwoman District 1  
cc Kevin de León, Councilman District 14  
cc Arturo Chavez, General Manager, El Pueblo de Los Ángeles Historical Monument  
cc Homeboy Industries, 130 Bruno St, Los Angeles, CA 90012  
cc The California Endowment, 1000 Alameda St, Los Angeles, CA 90012  
cc L.A. Parks Alliance, 1855 Industrial Street #106, Los Angeles, CA 90021  
cc John Wirfs, President, Board of Commissioners, El Pueblo de Los Ángeles Historical Monument  
cc StopTheGondola

YUVAL BAR-ZEMER

Los Angeles CA 90021

RECEIVED

JAN 17 2023

January 16, 2023

Via email and overnight mail to LAART@metro.net

Corey Zelmer  
Deputy Executive Officer  
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  
SCH 2020100007

Dear Mr. Zelmer:

This letter is submitted by myself, a citizen of the City of Los Angeles who lives and work in proximity to the proposed Los Angeles Aerial Rapid Transit Project (the "Project") in response to the release of the Project's Draft Environmental Impact Report ("Draft EIR" or "DEIR").

P703-1

I. GENERAL COMMENTS

A. Metro fails to analyze the impact of a private company operating a transit system in the public realm.

- a. After reviewing the entire report, I have not seen a single document detailing ANY hours of operation let alone detailed and specific hour per day, or days of operations per year! Many of the reports would vary drastically if the Aerial Tram operated only during game days, and only for 6 hours during a game day versus being operational 14 hours per day.
- b. Following the above lack of clarity or commitment by a private company (LAART) fails to identify the business model that would dictate the hours of operation and the cost to the public. This is necessary to determine the feasibility for the operator. and assuming the LAART provides a contractual commitment to a schedule and a cost per passenger, many of the reports may need to be revised! Here are just a few examples:
  - i. The calculation of the energy use would change dramatically (486 hours of operations annually, if it services game days only vs 4,380 hours of operations annually if it is a public service).

P703-2

P703-3

P703-4

- ii. The reduction in vehicle trips is directly related to the hours of operation and the cost of the ride. Since none of this data is provided in a form that can be analyzed, how can we make any assumptions on attendee's behavior. P703-5
- iii. The length of hours of service during game days are assumed to be 2-3 hours before the game, and 2-3 hours after the game. In a perfect world and according to the capacity of the system, it could deliver 15,000 people to the stadium before the game and 15,000 back to Union Station. This assumption is flawed as there was no study conducted to determine a person's willingness to wait more than an hour to start their trip home. The project fails to analyze its and Metro's capacity to actually deliver 15,000 passengers to their desired destination withing the 3-hour window. Without such study the assumption of the number of passengers using this new mode of transportation is an uneducated guess and therefore cannot support any assumptions on the reduction of Vehicle mile traveled (VMT). P703-6
- iv. The impact on a public that is enjoying the park at all hours of the day, would be very different on game days versus every day. P703-7
- v. The efficiency of operating the Gondola will vary dramatically if it operates every day. Even if the use a is minimal, the average use of KW per passenger will grow dramatically amounting to a massive waste of energy. P703-8
- c. What is the impact of this project when a private company goes out of business? Who will pay to remove the "scar" that was created in the skies of Angelenos. How would we calculate the many environmental impacts? If the Aerial Tram operating company goes of business, would government step in to run an inefficient, money losing model just to maybe get dodger fans to a game? P703-9
- d. The reduction in GHG is based on a number of assumptions: That in the future the electricity would be generated from 100% renewable sources. It also looks to a horizon of 2042. I am assuming the study is based on the mandatory requirement that a utility company be 100% renewable by that date or before. However, the State of California's mandate that all vehicles stop producing GHG by 2035, so even if this project is not implemented, the GHG reduction will be reached within a similar time frame. That change in private vehicles has not been made a factor in the calculation of GHG reduction. P703-10
- e. The bus service that offers a shuttle from union station to Dodger Stadium, is very popular and can be easily scaled without massive infrastructure spending or its associated impacts. Why is this not an alternative that was studied in detail. (It would qualify as the "No project" alternative as the components are already in place. (Appendix N refers to the Dodger Express as a static number that can not change and ignores in its time calculation the first mile driven (in other words, it gives the example as if the trip starts at the gold line station in south Pasadena and not in the persons home or office) P703-11

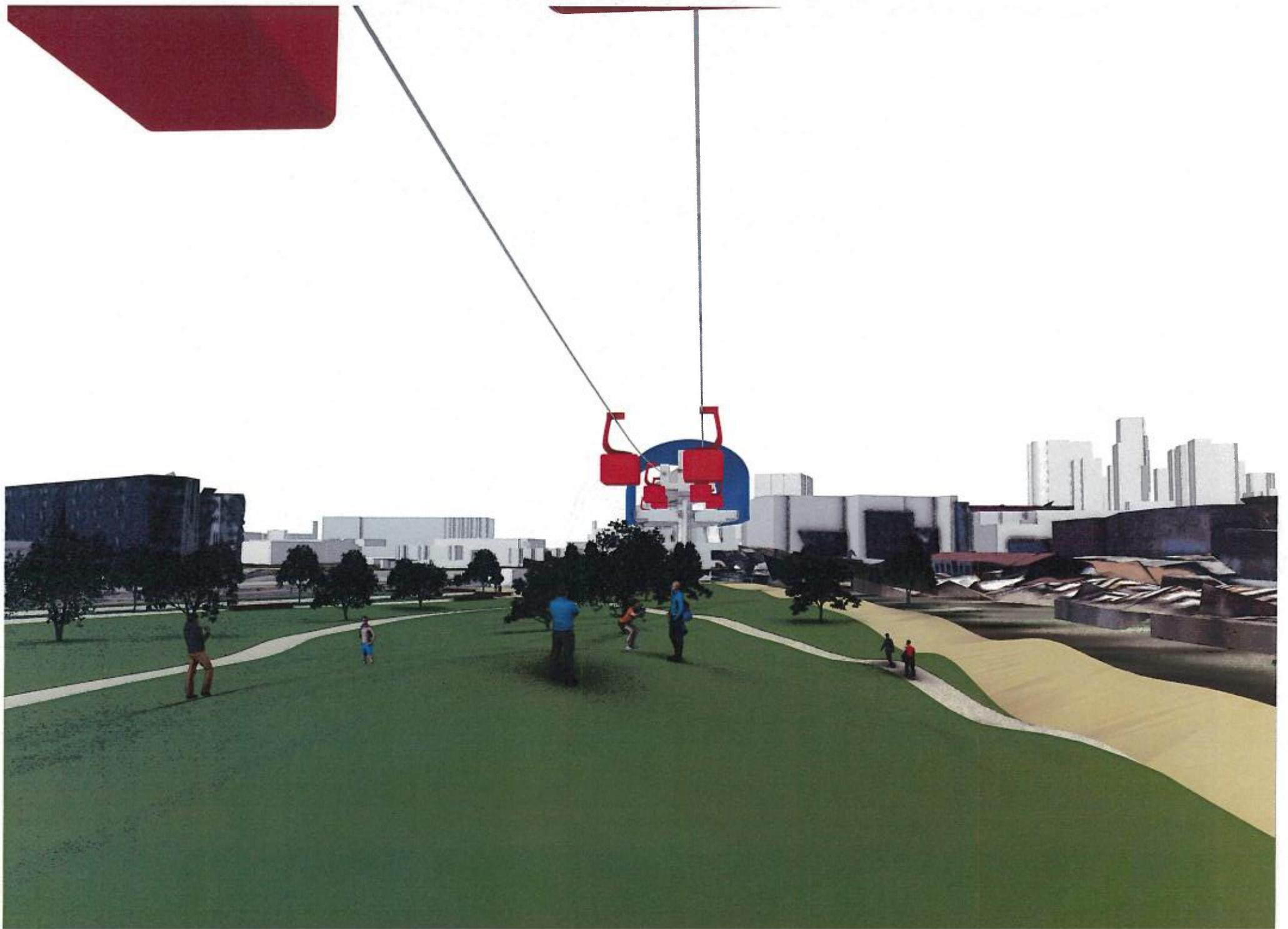
- f. The project proponents are portraying this public transportation system as something “normal” that has been implemented in many places around the globe however, the project fails to provide detailed comparisons to other the projects, explaining the inefficiency of the proposed model.
- g. The study alludes to the positive effect of such a project as a way to educate the public on a new type of “innovative” public transportation. However, the study fails to analyze the impact on the public; where the public space on grade has been dominated by transportation, the space below grade is taken for transportation and is now the last bit of “free” space left for the public to engage with nature We are being compromised by an “innovation” that may be attractive to a few for their own selfish devices. What a nightmare!
- h. The DEIR has concluded that there are no significant view impacts as a result of the aerial tram. I have attached few screen shots of a 3D model that represents the Aerial tram, and the China town station as seen from the park. For a park that is designed to have open skies, such conclusion appears to be absurd. The fact that the study did not provide a 3D digital tool for the public to be its own judge on the view impact may explain why the proponent selectively picked a few convenient spots to render (out of a 3 D model that clearly was not make available for public viewing.

P703-12

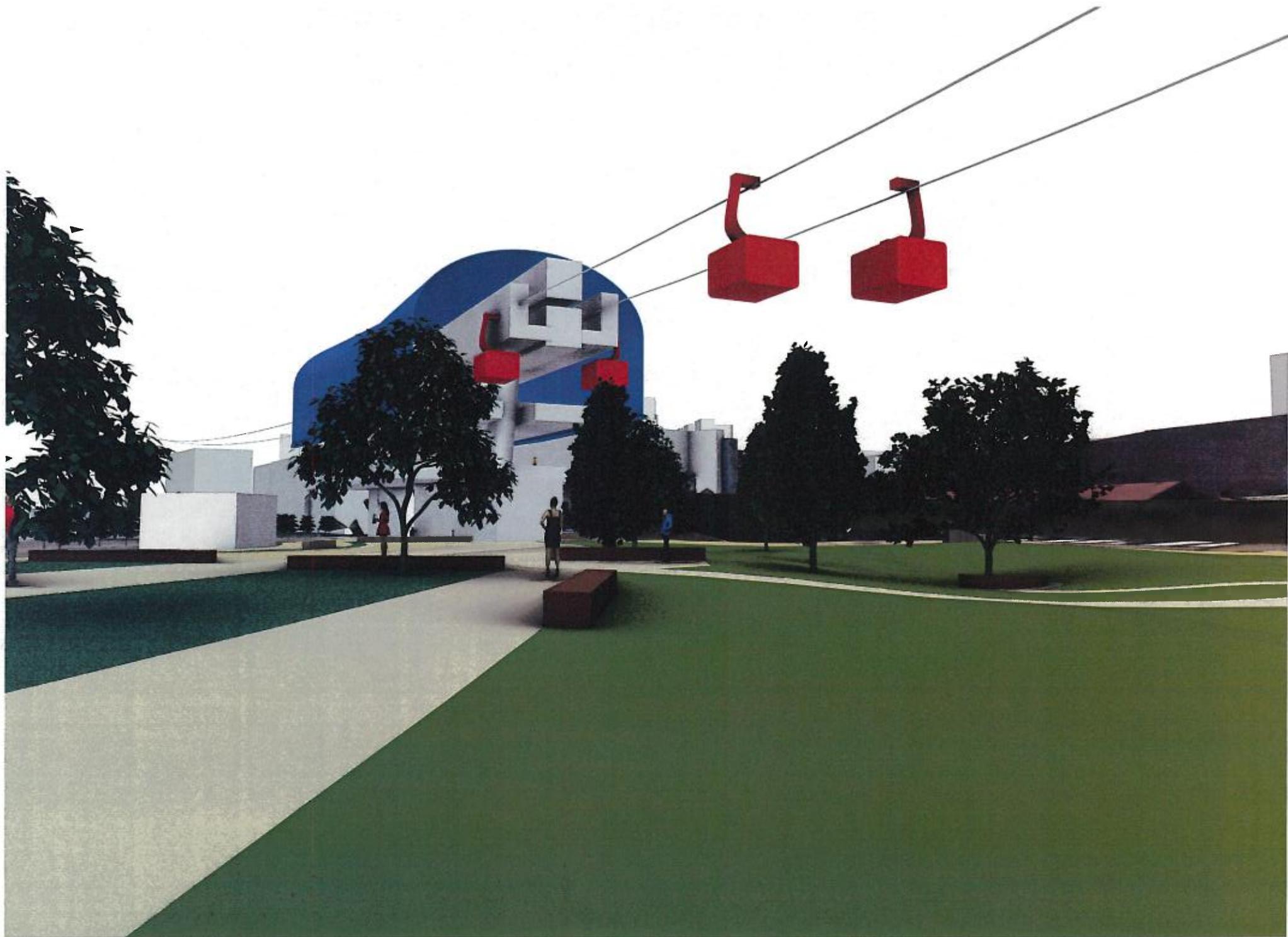
P703-13

P703-14



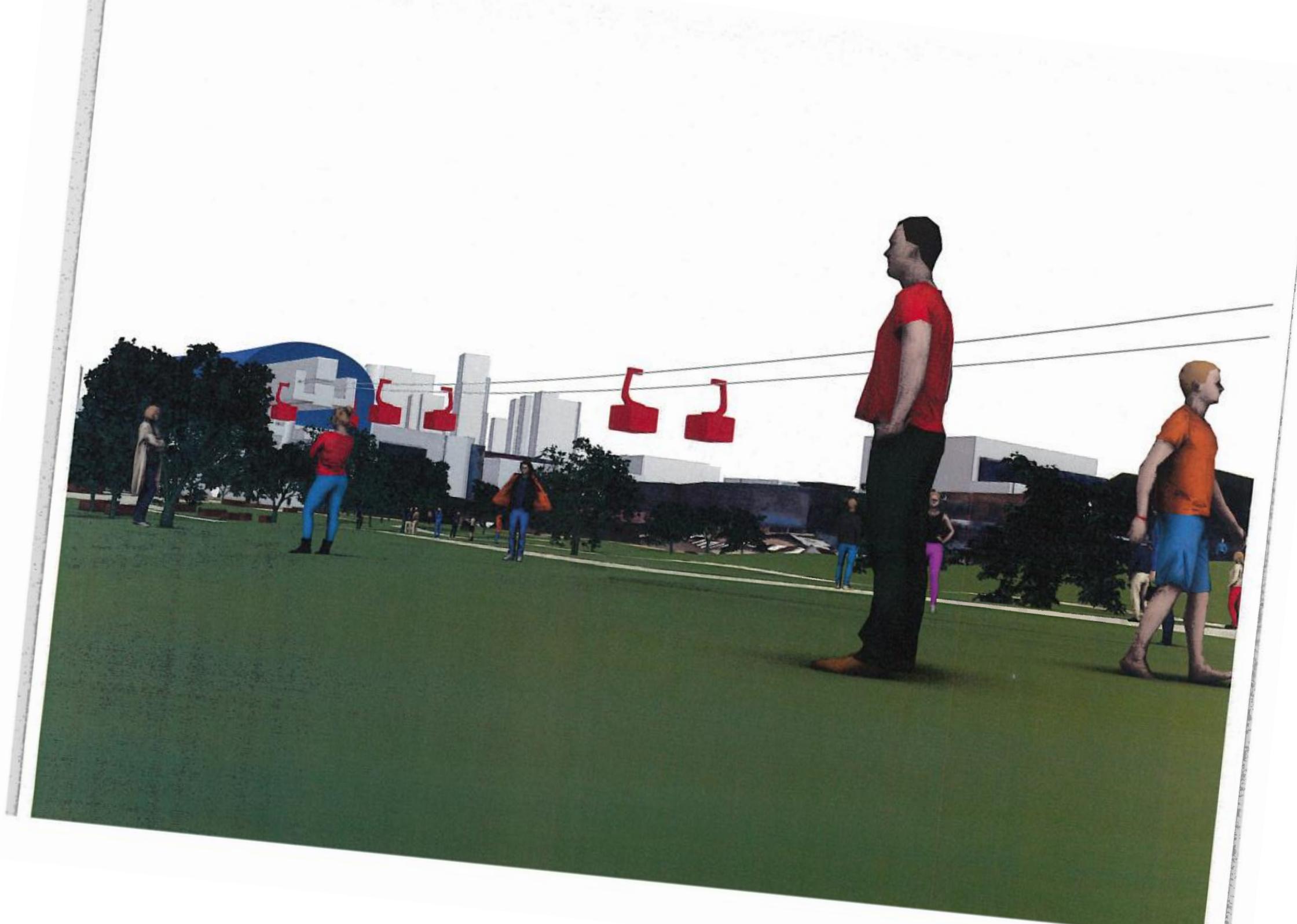




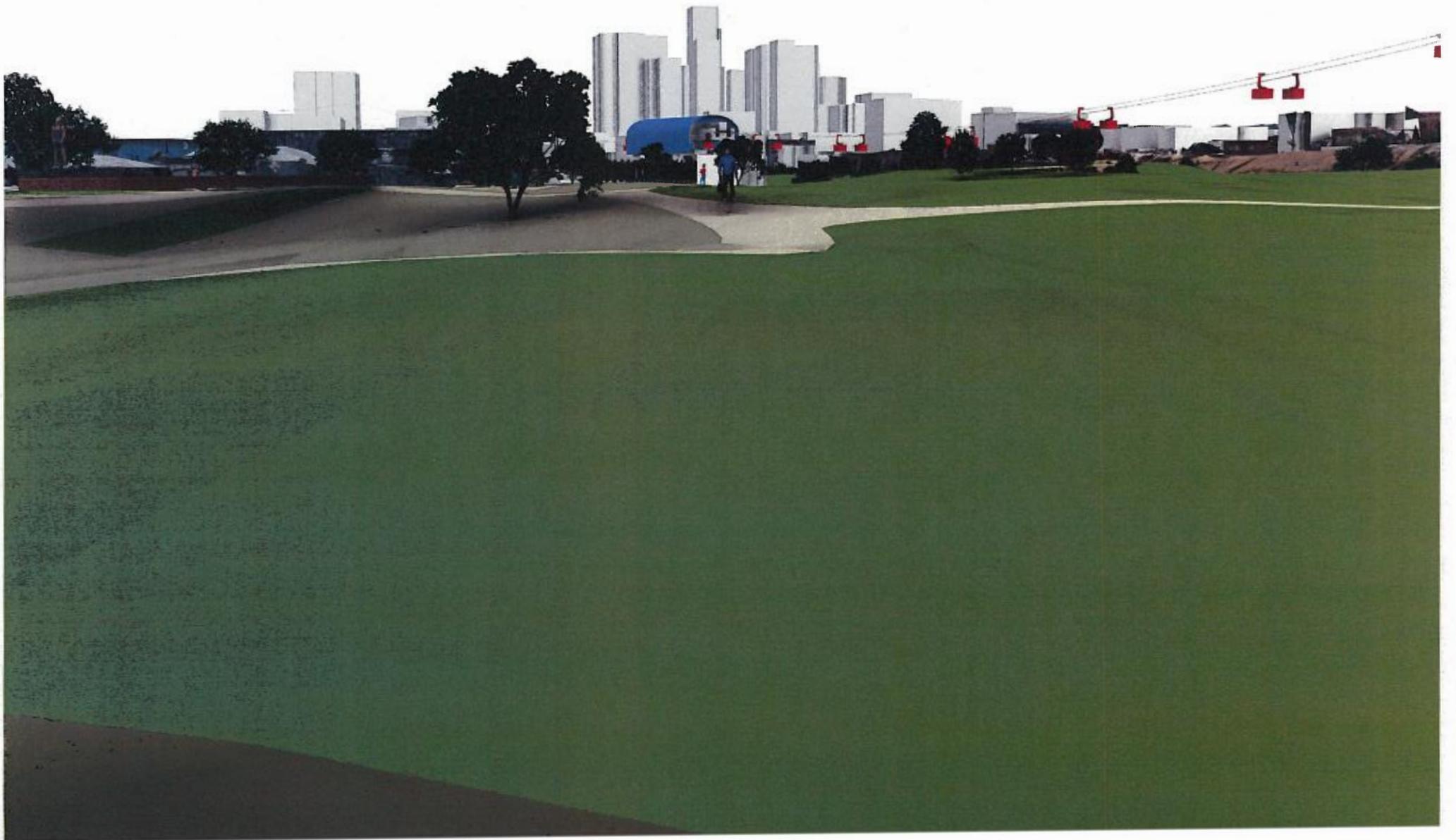


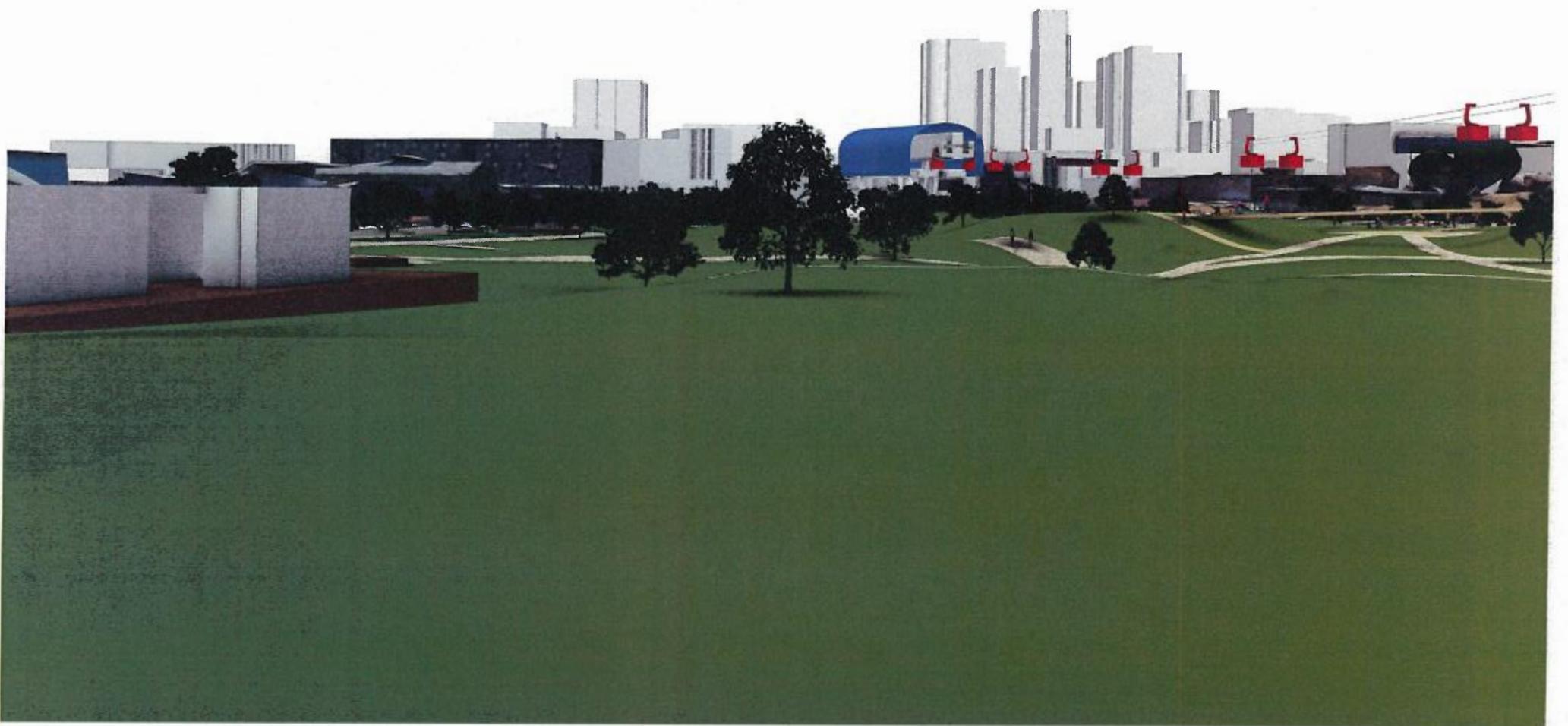














**From:** Don Luis Camacho [REDACTED]  
**Sent:** 1/17/2023 5:46:57 AM  
**To:** "laart@metro.net" <laart@metro.net>  
**Subject:** Olvera Street Restaurant in support of LA ART Project

Dear Mr. Zelmer,

I am writing in support of the LA ART project ? it is an innovative new mode of transportation that will help us meet our climate goals. My Company, Camacho?s Incorporated, has been headquartered at El Pueblo de Los Angeles Historical Monument since 1984 when my father, Andy Camacho, purchased El Paseo Inn Restaurant on Olvera Street. My family and I continue to own and operate that restaurant. We have so much pride for the history and culture that exists on Olvera Street, but each year it continues to be more and more challenging to attract new customers. In addition, the last few years have been extra challenging due to COVID-19. I believe that LA ART would help bring new life to Olvera Street, attracting new patrons and create a destination for El Pueblo. I will continue to advocate for the project and look forward to working with the project proponents and Metro to ensure we have community benefits that will help me and all the merchants along Olvera Street.

P704-1

Given my interest to the project, I have reviewed the DEIR, and have a few questions I look forward to the project team answering. Given the proposed proximity of construction to my family?s restaurant and the other Olvera Street merchants, what steps would the project take to make sure that businesses are not negatively impacted during construction? How will road and sidewalk closures be handled? Will access be maintained, or detours provided? I look forward to hearing about mitigation planning during a construction phase.

P704-2

Thanks,

Don Luis Camacho

P704-3

DON LUIS CAMACHO

[REDACTED]

[REDACTED] Los Angeles, CA 90012

[REDACTED]

[REDACTED]

Notice to Recipient: This e-mail communication is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged and/or confidential. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, forwarding, or copying of this communication is strictly prohibited. If you received this message in error, please delete it, without copying it, and notify the sender by return e-mail. Thank You.

**From:** Colleen Meyers [REDACTED]  
**Sent:** 01/17/2023, 4:26 PM  
**To:** [LAART@metro.net](mailto:LAART@metro.net)  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

Hi LA Metro,

My name is Colleen and I live really close to where the gondola would be at the Llewellyn Apartments. I board at College Station every day to get to work in West Hollywood. One of my favorite things to do is relax at the State Park after working 50hrs a week. The gondola would ruin that by putting enormous support towers in the sky where people go to enjoy nature and be healthy. Is there any data on the noise this would emit? College Station is already so loud, you can hear it from the entrance of the park and it's not relaxing there at all. I feel like the gondola cars would just make that worse and ruin the area for everybody.

P705-1  
P705-2

I also learned the gondola cars would be used for advertising and electronic billboards. This is horrible and we should not allow that into our airspace. Don't we have airspace rights here? This is so useless because giant ads like billboards, people already don't care about that. Why would anyone care about the ads you put on the gondola cars? You would just rake in money and make eyesores for everybody that lives here.

P705-3

In addition, College Station is already not the cleanest. You should invest in keeping your existing stations clean before you take on these projects that would just make them dirtier. And we all know how the Metro takes what? A decade? To clean up the actual bus seats. This gondola might be shiny and new to start, but it will just become disgusting germ vestibules over time. I don't trust you guys to keep anything sanitary honestly. And how are you going to prevent Covid in these cabins where the windows don't open? You're building superspreader boxes.

P705-4

Please reevaluate yourselves.

Colleen

Colleen Meyers  
[REDACTED]  
[REDACTED]  
Los Angeles, California 90012

**From:** Tany Ling <info@email.actionnetwork.org>  
**Sent:** 01/16/2023, 3:46 PM  
**To:** [LAART@metro.net](mailto:LAART@metro.net)  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

I am a resident and homeowner in Chinatown and I live along the proposed route of the gondola. I am OPPOSED to the Los Angeles Aerial Rapid Transit Project ("The Gondola" at Dodger Stadium) and here's why:

1- This is not a real public transit project: The route is incredibly short (just over 1 mile), basically only serves the stadium, and it replicates a route that is already served by existing public transit (Dodger Stadium Express buses, metro Gold Line light rail, existing metro bus routes). The limited service that this route offers is not worth the cost of the project in financial terms or in terms of destruction to the community and public spaces.

2- There was no community input at the outset: This project was hatched privately without any outreach to the very people who will be impacted by it; only when it entered the EIR period was it unveiled to the public and essentially paraded as something that we should want/need, even though we never asked for it.

3- Destruction of privacy to residents: These gondola cabins will fly so low to the ground and over private homes that all sense of safety and privacy will be eliminated for residents.

4- Visual and auditory blight: Gondola cabins flying over the park, over the streets, over the homes and apartments, over the pedestrians, etc; Hulking Broadway Junction towering over Broadway/Bishops Road, noise from the machinery at Broadway Junction and whatever noise is created by the gondolas themselves. The towers, new stations, Broadway Junction will all be large and permanent structures which will destroy what's left of the open space of Chinatown and the LASHP. All this for the sake of, not public transportation, but a billionaire's long-scheme to develop his parking lots at the expense of taxpayers?

We, the residents and stakeholders directly impacted by this proposed project, have stated many times over that we DO NOT WANT the gondolas. You have been given proof that it will not help with air pollution or taking cars off the roads. Chinatown is not for sale. There are better and cheaper ways to address the actual transportation issues with Dodger Stadium - ways that do not destroy the LASHP or the surrounding residential neighborhoods:

- 1- Electrify the bus fleet for Dodger Stadium Express
- 2- Increase the number of Dodger Stadium Express buses
- 3- Have pick-up/drop-off points in other parts of town such as Los Feliz, Atwater, Silverlake for the Dodger Stadium Express
- 4- Get serious about having bus-only lanes on game days so that these buses get priority over automobile traffic.
- 5- Improve pedestrian access to the stadium so that it provides wide and safe passage

If this project gets approval over all of the public outcry, this will be the greatest social injustice since Chavez Ravine was destroyed in order to build the Stadium. Is this the legacy you want for Metro?

Stop this project, do not approve, do not pass Go.

Sincerely,  
Tany Ling  
Chinatown resident

Tany Ling  
[Redacted]  
[Redacted]  
Los Angeles, California 90012

P706-1

P706-2

P706-3

P706-4

P706-5

P706-6

P706-7

**From:** [REDACTED]  
**Sent:** 1/18/2023 12:29:37 AM  
**To:** "laart@metro.net" <laart@metro.net>  
**Subject:** Public Comment on Draft EIR re LA Aerial Rapiid Transit Project

(1). Chinatown does not need a gondola. Chinatown needs a hospital and supermarket

P707-1

(2). The gondola will not improve traffic. Most people will drive to Chinatown to ride the gondola. Do not turn Chinatown into Dodger Stadium's parking lot.

P707-2

(3). The gondola stations will be noisy all day until late at night. This is unhealthy.

P707-3

(4). Taxpayer dollars should not be used for any part of this project. (5). The gondola towers and stations are too big and not attractive. They do not look like Chinatown. They do not look

P707-4

Asian. (6). The tower leaning towards Metro Lofts looks like it will fall on the building. This is bad Feng

P707-5

Shui. This is a culturally insensitive project. (7). There will be no more available street parking. The gondola will make it harder for small mom-and-pop businesses to survive. Where will their customer's

P707-6

park? (8). The Gondola does not help the small businesses in Chinatown. (9). The gondola will distract

P707-7

drivers and make our streets more dangerous. (10). This gondola project will damage our big park

P707-8

(LASHP).

P707-9

Stop the Gondola!  
King Cheung CCED

**From:** John Given [REDACTED]  
**Sent:** 1/17/2023 9:55:36 PM  
**To:** LAART@metro.net  
**Subject:** COMMENT LETTER - Los Angeles Aerial Rapid Transit Project SCH 2020100007

Dear Mr. Zelmer -

The attached letter from Land Protection Partners is an exhibit to a DEIR comment letter already submitted by LA Parks Alliance that was emailed to this address for the LAART project on Monday, January 16, 2023. In the earlier submitted letter LA Parks Alliance's requested that it be analyzed as if fully set forth within that letter. To ensure that the entire letter is addressed, and not only the points specifically called out within the LA Parks Alliance comment letter, I am submitting it again separately.

Again, thank you for your attention to the matter and for Metro's consideration of this and other DEIR comments.

Sincerely,

John Given

--

John Given  
[REDACTED]

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# Land Protection Partners

[Redacted], Los Angeles, CA 90024-0020

January 16, 2023

**Via Email to LAART@metro.net**

Mr. Cory Zelmer  
Deputy Executive Officer  
Los Angeles County Metropolitan Transportation Authority  
One Gateway Plaza, Mail Stop 99-22-6  
Los Angeles, California 90012

**Re: Draft Environmental Impact Report: Los Angeles Aerial Rapid Transit Project**

Dear Mr. Zelmer:

The Los Angeles County Metropolitan Transportation Authority (“Metro”) has accepted an unsolicited project to build a private conveyance between Union Station and Dodger Stadium known as the Los Angeles Aerial Rapid Transit Project (the “Project”), has assumed Lead Agency status under dubious authority in that it is not the agency that has the principal responsibility for approving or carrying out the project, and has issued a Draft Environmental Impact Report (“DEIR”).

The conclusions in an EIR must be based on substantial evidence, which is discussed in the California Environmental Quality Act as follows (Pub. Res. Code § 21080, subd. (c)):

Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to or are not caused by, physical impacts on the environment, is not substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.

In the comments that follow we focus on the impacts to biological resources and identify that most of the conclusions and assertions in the DEIR are not supported by substantial evidence, and in fact substantial evidence supports the opposite conclusion from those assertions. As experts in environmental impact analysis of biological resources with decades of experience (see biographies below), we provide these comments as facts, reasonable assumptions predicated on facts, and expert opinion supported by facts.

P708-1

## 1 Inadequate Biological Surveys

Biological surveys for the Project are described in Appendix E of the DEIR. The consultants purport to have surveyed the entire alignment on a single day (April 1, 2020), including a 500-foot survey buffer around the route. The methods do not describe how the biologist surveyed the entire three-dimensional project area, which extends up to 200 feet upward from the alignment. This third dimension is often ignored by biologists and its study requires appreciation of the speed at which animals move when aloft (Kunz et al. 2008). A 500-foot survey buffer is inadequate for assessing species that are moving through the air at a rate of 30 miles per hour (the speed of a typical songbird), thereby traversing the entire study area in less than 23 seconds. Furthermore, a single daytime survey in April cannot describe the volume and diversity of migratory birds that traverse the project location at night (most bird species migrate at night) during spring and fall migrations. In short, the survey effort on which the project biological assessment was made is inadequate to be considered substantial evidence regarding any impacts to wildlife and especially to birds that traverse the three-dimensional volume that would be impacted by the proposed project.

P708-2

Published guidelines to reduce impacts of power lines identify many techniques to evaluate the bird use of areas in route planning (APLIC 2006). These include: daytime and nighttime visual observation using tools to measure distance and altitude of birds (clinometers and theodolites), closed circuit television recordings, night vision tools such as image intensifiers, forward-looking infrared devices, and radar. Radar techniques are well established and were developed in 1978 to detect birds specifically to evaluate the risk of new transmission lines (Korschgen et al. 1984). These tools can be used to develop a reasonable assessment of the quantity and general species composition of birds that might be at risk of collision. Examples of such efforts are available in the published literature. Williams et al. (2001) used radar, visual observations, and a ceilometer to describe birds migrating through a mountain pass. Mabee and colleagues have described bird numbers and altitude of flight using radar at proposed wind power sites (Mabee and Cooper 2004, Mabee et al. 2006). Others have used nocturnal flight calls to identify passing migrants (Farnsworth et al. 2004, Farnsworth and Russell 2007). Nocturnal flight calls have been used by community scientists in Los Feliz to document nocturnal migrants passing over the downtown Los Angeles area (see <https://www.youtube.com/watch?v=B1RyBDnCcgc&t=1s>).

P708-3

## 2 Collision Risk

The DEIR acknowledges that installing large cables up to 195 feet in the air could pose a collision risk. The preparers' subsequent analysis of that risk, however, is replete with unsupported assertions and mischaracterizations of the literature.

The analysis of collision risk in the DEIR consists of the following statements in the main text and Biological Resources report (Appendix E):

P708-4

- Ropeway cables would pose less danger than transmission lines because they are 1.75 to 2.5 inches in diameter compared with 1–2 inches for transmission lines and 0.5 inches for ground wires above transmission lines.

- The three ropeway cables would be spaced tightly in the vertical plane and so would pose less risk than if they were spread more broadly.
- The tight spacing of cables vertically would make them more visible.
- Cables would be made more visible by the moving cabins.
- Therefore avian collision risk from the cables would be less than for transmission lines.
- Concentrated avian activity is not expected near the project. Migratory movement is focused on prominent ridgelines, shorelines, and where favorable stopover habitat is located. The project is located “on a broad urbanized coastal plain, midway between the coast and the mountains, and lacks significant wetlands or similar habitats that might attract large numbers of migrants as stopover habitat.”
- Grouse and ptarmigan have poor maneuverability in flight and collide with ski lift cables but no similar species are found in the project area.

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P708-4

We consider these claims in turn.

**Cable size.** The DEIR relies on the idea that birds will be able to see the ropeway cables during the day because they can be half an inch larger than transmission wires. This is a preposterous claim. Notwithstanding citations in the DEIR, current published sources indicate that there is no evidence to back this claim, which derives from experiments on transmission lines comparing the main power lines, which are always lower and larger, with the ground wires, which are always smaller and located higher than the main lines (Bernardino et al. 2018). Studies that remove the upper, smaller wires document a decrease in avian mortality but there is “no possibility of disentangling the effects of wire height and diameter” (Bernardino et al. 2018). There is some experimental evidence suggesting that it is the placement of the ground wire that is the important factor and that making it larger does not decrease collisions (Brown et al. 1987). The DEIR therefore errs in relying on the assumption that a tiny difference in cable diameter will mitigate daytime collisions. It also will not mitigate collisions at night, which is when most migratory birds will encounter the structure and cables. Nocturnal migrants do not see cables, even the guy lines that hold up 2,000-ft communication towers that are much larger than the proposed cables (Longcore et al. 2008), because they encounter them in the dark. There may be “general agreement” in the literature that larger cables are safer, but the most recent scientific review “found little scientific evidence that these recommendations [including to use larger diameter cables] are effective” (Bernardino et al. 2018).

P708-5

**Vertical spacing of cables.** The DEIR argues that because the three cables would be packed tightly in the vertical plane, they would pose less of a risk than if they were spaced out vertically. First of all, this claim has no evidence to support it in the published literature. Second, it imagines that all birds move in a single vertical plane through the atmosphere, as if they were aircraft on a flight path at a cruising altitude. That is not how birds move in space. Because birds increase and decrease in altitude as they use the airspace, the packing of the wires vertically is not the substantial mitigation measure that is assumed in the DEIR.

P708-6

**Increased visibility of three cables.** The DEIR argues that because there are three cables in close proximity, birds will see them more. Again, power lines often have several lines together and still result in avian collisions and mortality. There is no evidence to support this self-serving claim, and it similarly does not address nocturnal collision risk.

P708-7

**Risk relative to transmission lines.** The DEIR presents its unsupported assertion that the cables would cause less mortality than a similarly situated power line as if it were evidence that is impacts would be less than significant. This is incorrect on two fronts. First, the DEIR provides no substantial evidence that the rate of avian collision and mortality would be less than power lines. The height of the cables and of power lines are similar. There is no support to claim that moving cars attached to the cables would increase visibility (Bech et al. 2012) and especially moving cars would not be a factor in the middle of the night when the wires would be encountered by nocturnal migrants. Second, the question that must be answered for environmental analysis is not one of relative impacts, but whether the impact itself would be significant. Based on collision rates with power lines, any analysis of the impacts from the proposed project should start from the assumption that the 1.9 km length of the cables will kill up to 152 birds per year, and given the variability in collision rates, an average value would be 75 birds per year (Jenkins et al. 2010). This would be true of any aerial cable system at the heights proposed in the project area. The birds that could collide with it might include sensitive species (given their presence in the surrounding park and along the Los Angeles River) and therefore this should be considered to be a significant impact, both through direct adverse effects on sensitive species and interference with migratory wildlife corridors. The DEIR, in contrast, asserts there will be no adverse effects because it asserts that there will be no concentration of avian movement intersecting with the site, which we consider next.

P708-8

**Concentrated avian movement.** The DEIR makes the claim that the project site is in the middle of a broad coastal plain, lacking topography to concentrate migrants and lacking habitat that would attract birds as stopover locations. These assertions are flawed.

Significance of impacts depends not necessarily on the quantity of birds but on whether sensitive species are affected. Many sensitive bird species migrate through Los Angeles and could encounter the project site.

P708-9

The assertion that there is no stopover habitat to attract birds ignores the presence of the Los Angeles River and Silver Lake Reservoir Complex, which is a significant stopover habitat for waterfowl, in close proximity to the site. An assessment of this question must look at a broader landscape context than the 500-ft buffer considered in the DEIR because, as noted, birds fly quickly through the air and major stopover locations are found within a few minutes flight from the project site.

There is another factor that concentrates avian migrants that is entirely ignored by the DEIR: artificial light at night. Nocturnally migrating birds can be tracked on weather radar and research has now shown that light at night escaping upwards is associated with greater numbers of birds present during the day, especially in the fall when juveniles are migrating south (La Sorte et al. 2017). As birds are migrating southward they are attracted to lights and then end up disproportionately using habitats in and around cities as compared with potentially better habitats elsewhere (McLaren et al. 2018). Lights can rapidly increase the density of migratory birds in an area at night. A study of the “Tribute in Light” installation in New York documented an increase from 500 birds within 0.5 km of the vertical light beams before they were turned on to 15,700 birds within 0.5 km 15 minutes after illumination (Van Doren et al. 2017). Downtown Los Angeles also attracts and concentrates birds, especially in the springtime, based on radar

P708-10

measurements (Horton et al. 2019). Dodger Stadium itself creates one of these exceptionally bright points on the landscape and would itself attract and disorient birds, as was seen recently with a Greater White-Fronted Goose at a Dodgers playoff game. Therefore, contrary to the assertions in the DEIR, this location is associated with concentrations of avian migrants.

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P708-10

**Species susceptible to collision found in project area.** The DEIR references a study of grouse and ptarmigan collision with ski lifts (Bech et al. 2012) to conclude that no similar low maneuverability species vulnerable to collision are found in the project area. The DEIR ignores the big message from that paper, which is that searches for carcasses only reveal a small fraction of the birds killed at elevated wires. In that instance, a bird had collided with the wires and was found 600 m (1,969 ft) away, far outside the zone typically searched for mortality at wires. The steep topography of the site may have contributed to this distance, but the genetic linking of an individual bird to feathers underneath an obstruction 600 m away suggests that many current estimates of avian mortality at elevated obstructions are low (Bech et al. 2012).

P708-11

The DEIR does not provide important information about what groups of species are more vulnerable to collision (Bevanger 1994, Savereno et al. 1996, Bevanger 1998, Janss 2000). Although all bird species are potentially exposed, the species that are typically at greatest risk are large, heavy, relatively small-winged birds with poor vision (Jenkins et al. 2010). The most susceptible groups tend to be waterbirds and in particular large ducks, geese and swans, pelicans, large herons and waders (Jenkins et al. 2010). Rails, coots, and cranes (Gruiformes) are most frequently recorded birds killed at power lines (Bevanger 1998). Other groups at risk include waterbirds and diving birds such as ducks (Anseriformes) and loons (Gaviformes), which also have high “wing loading,” which means that their wings are small relative to their weight (Bevanger 1998). Records of mortality of species in these groups are common also because they are larger, more easily detected, less likely to be carried off by scavenger, and therefore more likely to be recorded. Other species that are theoretically prone to collisions based on their size, wing loading ratio, and vision are found less in surveys, probably because they are smaller and harder to detect (Drewitt and Langston 2008), or travel significant distances after being injured (Bech et al. 2012). These more sensitive groups would include pigeons (including native Columbiformes such as Band-tailed Pigeon and Mourning Dove), some passerines, and high-speed predators such as falcons (Jenkins et al. 2010). Aerial predators, such as swifts, many raptors, and even gulls, are at risk because they spend so much time in flight that have an increased probability of colliding with wires than other species that fly less (Bevanger 1998, Janss 2000).

P708-12

In conclusion, the collisions analysis in the DEIR misrepresents the published literature and is not based on substantial evidence. The proposed aerial tramway will kill birds through collisions and the proximity of waterbirds attracted to nearby habitats at the Los Angeles River and Silver Lake Reservoir Complex, combined with the excessive light escaping from downtown Los Angeles (Pack et al. 2017), increases the probability of such collisions and the resulting annual fatality rate. From a CEQA perspective, this represents interference with a migratory pathway and adverse impacts on sensitive species, which are included in the migratory species that traverse Los Angeles routinely. It deserves mention that avian collisions with power lines (or by extension, the proposed aerial tram system) cannot be eliminated through mitigations (Alonso et al. 1994, Brown and Drewien 1995, Janss and Ferrer 1998).

P708-13

### 3 Lighting

The DEIR does not fully describe all sources of lighting. It makes a vague mention of digital billboards (p. ES-11) as follows:

[E]lectronic digital displays and/or changeable message light-emitting diode (LED) boards that include both transit information and other content, which may include off-site advertising that generates proceeds to support transit system costs and operations. Signage would be architecturally integrated into the design of the ART system including its stations, the junction, towers, and cabins.

P708-14

The prospect of LED billboards festooning the towers, gondolas, and stations is not adequately accounted for in the environmental analysis of biological resources and in fact is not considered at all. The aesthetics analysis contains no renderings of the project at night, so decisionmakers are lacking critical information to understand the full impacts of the lighting from the project both for impacts on visual resources and for the impacts of light pollution on biological resources.

The proposed “project design feature” for lighting (AES-PDF-A) violates national standards set by the Illuminating Engineering Society for off-roadway outdoor signage (RP-39-19). The project proposes 10,000 candela per square meter during the day, when the highest allowable brightness by national standards is 3,500 candela per square meter. At night, the project design feature proposes 300 candela per square meter, while the highest allowable brightness for the lighting zone appropriate for a business district (LZ3) is 80 candela per square meter. The portion of the project in the State Park and heading up into Chavez Ravine should probably be classified as LZ2, where the maximum allowable luminance is 40 candela per square meter. LZ3 is defined as, “Areas of human activity (i.e., habitation, recreation and/or work) where electric lighting may be continuous and is required for safety and convenience at night. This is the recommended default zone for large cities’ business districts),” and LZ2 is defined as, “Areas of human activity (i.e., habitation, recreation and/or work) where electric lighting *may* be required for safety and convenience at night. This is the recommended default zone for light-commercial business districts and high-density or mixed-use residential districts” (Illuminating Engineering Society, RP-39-19, Recommended Practice: Off-Roadway Sign Luminance: An American National Standard).

P708-15

The lighting “project design feature” also defines brightness in terms of Watts, which is not useful. Lights have different efficiencies and the restriction that, “Building Lighting will not exceed 60 watts” is not useful unless the lamp type is specified. It should indicate the total lumens that can be produced per fixture rather than specifying energy consumption. The related limitation on light output for outdoor luminaires of 6,200 lumens is set unreasonably high. That is the equivalent of having ten 60-Watt incandescent bulbs in a single fixture. A “design feature” with this limitation will do nothing to mitigate the impacts of the proposed lighting infrastructure on visual resources or people who are exposed to the lights from their residences.

P708-16

The Visual Impact Analysis in the DEIR does not evaluate whether any of the proposed lighting from the project would violate Los Angeles Municipal Code Section 93.0117, which reads:

P708-17

No person shall construct, establish, create, or maintain any stationary exterior light source that may cause the following locations to be either illuminated by more than two footcandles (21.5 lx) of lighting intensity or receive direct glare from the light source:

1. Any exterior glazed window or sliding glass door on any other property containing a residential unit or units.
2. Any elevated habitable porch, deck or balcony on any other property containing a residential unit or units.
3. Any ground surface intended for uses such as recreation, barbecue, or lawn areas on any other property containing a residential unit or units.

EXCEPTIONS: This subsection shall not apply to:

1. Any frosted light source emitting 800 lumens or less.
2. Any other light source emitting more than 800 lumens where the light source is not visible to persons on other residential property.

Given that much of the infrastructure proposed will be several stories in the air, it is highly likely that even if lights are shielded from being directed upward, they will result in direct glare on residences in violation of Municipal Code. The calculations provided in the technical appendix are focused on illuminance measurements, when the code allows no direct glare, regardless of the illuminance. None of the Lighting Design Report calculations show compliance with this code section.

Finally, it is unclear the extent to which the stations will remain illuminated at night and overnight and to what extent the shells of the large canopies are transparent. From the renderings it appears that they are somewhat translucent, and therefore would result in escaping light at night, appearing as large glowing masses in the sky at night.

The lighting report also illustrates several examples of uplighting of structures and landscape elements, which is inconsistent with the text in the DEIR claiming that lights will be “shielded,” which normally implies that light would be directed downward (see pp. 3.1-8 and 3.1-9 of DEIR). Uplighting is always an adverse environmental impact and illuminating trees at night is harmful to their health (Briggs 2006, Bennie et al. 2016, Meng et al. 2022) and should be avoided.

#### **4 Structure Design Likely to Result in Large Rock Pigeon Roosts**

Project designers do not appear to realize that a large open canopy as depicted in the project renderings in the Lighting Design Report, combined with exposed structural beams and girders, is likely to result in large Rock Pigeon roosts. Pigeons can be vectors of disease and their droppings would foul the surfaces in the stations. The DEIR should consider this eventuality and

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P708-18

P708-19

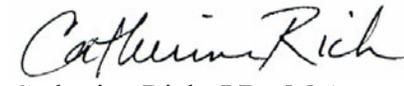
disclose the chemical and/or physical methods that would be used to exclude pigeons from roosting from within these structures. The station design is setting up the operators to be under pressure to undertake ongoing, potentially inhumane, measures to control pigeon numbers.

Sincerely,

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P708-19



Travis Longcore, Ph.D.



Catherine Rich, J.D., M.A.

## 5 About the Authors

Dr. Travis Longcore and Catherine Rich are principals of Land Protection Partners. Dr. Longcore is Associate Adjunct Professor in the Institute of the Environment and Sustainability at UCLA. He has taught, among other courses, Bioresource Management, Environmental Impact Analysis, Field Ecology, and Ecological Factors in Design. He was graduated *summa cum laude* from the University of Delaware with an Honors B.A. in Geography, holds an M.A. and a Ph.D. in Geography from UCLA, and is professionally certified as a Senior Ecologist by the Ecological Society of America and as a GIS Professional by the Geographic Information System Certification Institute. He is a 24-year member of the Los Angeles County Environmental Review Board. Catherine Rich is Executive Officer of The Urban Wildlands Group. She holds an A.B. with honors from the University of California, Berkeley, a J.D. from the UCLA School of Law, and an M.A. in Geography from UCLA. She is lead editor of *Ecological Consequences of Artificial Night Lighting* (Island Press, 2006) with Dr. Longcore. Longcore and Rich have authored or co-authored over 60 scientific papers in top peer-reviewed journals such as *Auk*, *Biological Conservation*, *Conservation Biology*, *Environmental Management*, *Frontiers in Ecology and the Environment*, *Trends in Evolution and Ecology*, and *Urban Forestry and Urban Greening*. Longcore and Rich have provided scientific review of environmental compliance documents and analysis of complex environmental issues for local, regional, and national clients for 23 years.

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**January 17, 2023**

**VIA EMAIL LAART@metro.net; zelmerc@metro.net**

Subject: Public Comment – Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Cory Zelmer  
Deputy Executive Officer  
Los Angeles County Metropolitan Transportation Authority  
One Gateway Plaza, Mail Stop 99-22-6  
Los Angeles, CA 90012

Dear Mr. Zelmer and Metro,

I am writing this letter in OPPOSITION to the Los Angeles Aerial Rapid Transit Project ("The Gondola" to Dodger Stadium, or "The Gondola Project"). The following are a list of concerns that I would like to add to my previous comment letters:

P709-1

### Process/Transparency

By allowing this project to move forward to environmental review without a feasibility study, Metro has allowed Frank McCourt to bully our community. It's hard to describe the impact of this. The gondolas would fly directly over my neighborhood. The 98ft tall Broadway Junction would be noisy and imposing. One of my neighbors has said that she has had a lot of anxiety about this project, about the uncertainty of it coming into our neighborhood.

P709-2

The following is a speech I gave at a "convening" to introduce a number of community organizations to the gondola project and our efforts to organize against it. I hope it provides a sense of the impact that this project has already had on our community:

P709-3

*I'm a resident on a street called Savoy that's on the other side of Broadway from this park. My sister and I became homeowners here 10 years ago. We got lucky after two years of searching and bidding wars. Our mom has always encouraged us to own, to have that security and stability, and we love our house. It's over 125 years old, and we've spent many years working on it, and making it our home.*

*But even more important than the house itself, we've become a part of the community. Many of my neighbors have been here for decades. There are families raising their kids here, seniors who walk and take the bus, some who speak a little English, some none at all. It's a neighborhood where people grow and share fruit and vegetables. When the LA Times reporter was here, my 95 year old neighbor would not let her leave without a bag of vegetables. Some of our neighbors gave us rice dumplings a couple of weeks ago when it was good luck to eat them. It's a neighborhood where people look out for each other.*

*Living here, there's Dodger traffic, high school traffic, even concerts in this park. But those things we sort of expect and can deal with. What we never expected was that a billionaire would want to build a massive gondola project over us, and be given a fast pass by Metro to do it.*

*Four years ago, in 2018 when the gondola was first announced, it was just a concept. No route was proposed. But the next time we heard about it was two years later, with the notice of preparation for the EIR. McCourt's company decided on their two routes, both over my neighborhood, and they made that decision without holding even one public meeting.*

*I guess maybe McCourt didn't want us to know about his plan to invade our neighborhood with his urban gondola experiment. His people like to compare these gondolas to those in South America, but these would be much larger, with 40-person cabins swooping over us all day long, all year long, and very late at night. They would go directly over us, only 40 feet above our roof. How would you like to live under that?*

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P709-3

P709-4

P709-5

*Real estate is a big business, but some of us just want to live in our homes, and have some peace, security and stability in our community. Crazy projects like this threaten all of that. It's like we can't even own our little part of our neighborhood. We're at the mercy of a billionaire who can force his project on us.*

*Even today, there's still no feasibility study. All we have are McCourt's promises that this system will be safe, quiet, and take thousands of cars off the roads. Personally, I'm getting tired of billionaires making big promises they clearly can't keep, when it's all of us in the community who would live with the consequences.*

*People have told me, "You can't fight it. The people behind this are too rich and powerful. Just negotiate and get what you can." But I look at it another way. I shouldn't be bullied into selling my home and losing my community. I shouldn't be told, "This gondola is happening, so you can either sell and leave, or you can live under it." I don't want to be threatened or intimidated.*

*We are a lower income community, a community with many non-English speakers, a lot of renters. McCourt probably figured we wouldn't have the resources to fight him in court, and in some ways that might be true. But I'm grateful that The California Endowment is fighting back with their lawsuit. I'm also grateful for any allies who will join us in this fight. I'm grateful that you are here today, because I know that by joining forces we can be stronger than McCourt ever thought.*

*Thank you.*

P709-6

## Privacy

A gondola cabin approaching my home on Savoy Street would have a view looking into my living room window, and then into my bedroom if the bedroom door is open. You could literally see my bed. This is when the gondola is approaching my home, not when it is directly over my property. This is why my neighbors and I need more information about the "smart glass" system and how it would be

P709-7

implemented. When or where would the windows of the gondola cabins automatically fog up, and which windows would actually fog up. I imagine that LA ART would like to keep this to a minimum because it would be annoying and disconcerting for gondola passengers if the windows are constantly fogging up. Would the gondola operator be able to disable this feature easily, and how would we file a complaint if we notice it's not working?

cont'd  
P709-7

## Future development

The preferred alignment would fly within my air rights at 451 Savoy St. However, The Gondola is a private company's project, and private companies cannot use eminent domain. This suggests that Design Option A is the only viable alternative because we are not transferring our air rights to The Gondola Project. However, Design Option A crosses over the airspace of Cathedral High School, a historic property. Has the high school given permission to use their airspace for this project?

P709-8

Even if this design option is chosen, which does not require the airspace directly over my property, The Gondola could still affect my ability to build or rebuild on my property should the need arise (natural disaster, fire, a gondola catastrophe, etc.). It would be detrimental to the value of any upper floor units that would have windows at approximately gondola level as they pass by our property. It could also prevent the use of a crane or other tall equipment to assist in the construction.

## Noise Study

In the noise analysis, the noise from the LA ART gondola stations is estimated using a model developed by Rossi in 2011. I am requesting an explanation of this model and its limitations that a lay person can understand. Although a list of assumptions is provided, there's not really a discussion about the soundness of these assumptions.

P709-9

I'm concerned that the noise analysis underestimates the noise from the gondola cabins. People tend to be drunk or rowdy after Dodger games and events. This will create more noise than inside the gondola cabins that are flying over our homes until midnight than is described in the DEIR. There will not only be the average and consistent noise, but also the hooting and hollering that is disturbing to peaceful enjoyment of our homes, and shouldn't be averaged out in the noise analysis. The DEIR also should account for peak noise from a person screaming in the cabin.

cont'd  
P709-9

If we're comparing transit systems, the Portland system does not run as late and serves people who are going to a hospital. That's a very different situation. The LA ART Gondola would serve a major events stadium AND flies low over a residential neighborhood AND will operate until midnight, possibly later in order to accommodate events that end late, such as the Elton John concert. For this reason, cabins need more soundproofing than glass that is similar to automobile glass.

P709-10

The Elton John concert ended at 11:15pm. I am skeptical that for an event like that, the operator of the gondola would really stop running the system at midnight. This project would put a noisy station in the middle of a residential neighborhood and fly cabins with rowdy people very low my neighborhood. That is a lot of noise and disturbance to introduce into a residential neighborhood that includes children and seniors and many single family homes that are over 100 years old that don't have modern soundproofing. My home is 127 years old, and my neighbor's home is 131 years old.

P709-11

## Los Angeles State Historic Park

The DEIR does not include any renderings showing the Broadway Junction as viewed from inside LA State Historic Park. Given that it sits on the bluff on Broadway, and is 98ft tall, this will be a huge part of the view. There is currently nothing of this size and scale on Broadway next to the park.

P709-12

## Reliability and Safety

The 3S gondola in Toulouse, France has not been reliable so far. It broke down 5 times in the first month, and then went off-line for two weeks only three months after opening, to perform their annual maintenance. Then it broke down again two months later. It broke down one time and left a teenage boy stuck in the hot cabin for 1 hour. It broke down again last week, on January 10, 2023, because of a computer malfunction. This is not yet proven technology for public or urban transit. Teleo has a much smaller rated capacity. A larger capacity system, as proposed for LA ART, is probably even harder to maintain.

P709-13

## Alpine Tower

Taking another lane from Alameda for the Alpine tower seems shortsighted. This takes away space on Alameda street for this project that could be put to better use, such as a bike lane or bus lane. Chinatown has practically no bike lanes.

P709-14

## Land Use Compatibility

I am not aware of any other 3S gondola systems with **open air** stations or junctions that are situated in a residential neighborhood and this close to homes. This seems like an incompatible use that would be incompatible with the City of LA's land use and zoning. Yet in the draft EIR, LA ART claims that this project is compatible with the City's land use policies. This seems highly unlikely to us, especially because representatives from LA ART made public comments to the City Planning Commission asking for the Downtown Community Plan to consider provisions for aerial transit.

P709-15

I would like to include this document in the record for the DEIR for this project: "Gothenburg – Cable Car Best Practices Report." This report from 2016 has a review

P709-16

of 3S Gondola systems and considerations for implementing such systems with an intermediate station. The following are excerpts from the report, which I believe are relevant to the DEIR for the LA ART Gondola to Dodger Stadium

([https://www2.trafikkontoret.goteborg.se/resourcelibrary/underlagsrapport\\_best-practices.pdf](https://www2.trafikkontoret.goteborg.se/resourcelibrary/underlagsrapport_best-practices.pdf)):

*“To address this question, CCC compiled and documented all tricable detachable gondolas (3S) in the world. It was found that at the time of this report's writing (January 2016), only thirteen 3S systems were operational while six 3S cable cars were in the various stages of planning and construction.”*

*“However, only two 3S systems are built with mid-stations. This suggests that it is very challenging to directly address best practices for 3S systems with upper floor mid-stations. To further compound this challenge, Gothenborg's cable car system is still undergoing planning and review and therefore, specific design specifications of the system (i.e. location of multi-storey stations, location of return/drive station and etc) were not disclosed to the Consultants. As such, CCC can only discuss and answer the aforementioned question and best practices for upper level gondola stations in generalities.”*

cont'd  
P709-16

Operational Challenges	Comment / Description
Location of Drive vs Return Stations	<ul style="list-style-type: none"> <li>• Station will need to be designed appropriately to handle the forces/stresses applied onto building depending on the final locations of drive and return stations.</li> <li>• Return stations have less infrastructure components while drive stations have more function-related components (i.e. main drive machinery, auxiliary motors, diesel generator)</li> </ul>

P709-17

	<ul style="list-style-type: none"> <li>• Drive stations are generally built over two floors. The machinery room is often times built beneath the station to reduce noise.</li> </ul>
--	--

cont'd  
P709-17

<p>Accessibility Requirements</p>	<ul style="list-style-type: none"> <li>• To ensure universal access, many transit agencies now require elevator access for above ground stations. The number and height of elevator systems can add sizable costs and design complexities to a project (i.e. space requirements for elevators). For instance, multi-storey stations may require up to four elevators to provide sufficient service in order to provide access to both sides of the platform. It is also needed in an event that one malfunctions, there's a backup elevator.</li> </ul>
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P709-18

<p>Changing Heavy Machinery and Parts</p>	<ul style="list-style-type: none"> <li>• For multi-level stations, a strategy to change heavy machinery and parts (i.e. gearboxes, motors and etc) will be required in case parts are broken</li> <li>• For instance, if a station is 4 storeys high, project proponents must design and have strategies in place to remove and deliver machinery</li> </ul>
---	--

P709-19

*“High ridership cable cars must be built with sufficient loading space throughout the station. Poor queuing strategies may reduce passenger satisfaction and safety.”*

*“The Funivia del Renon is one of the few, if not only, 3S cable cars with a loading/unloading platform built on the second floor. Unfortunately, due to its popularity during high season, low capacity, poor queuing strategy and limited station footprint, this results in an overflow of passengers queuing haphazardly along the staircase.”*

P709-20

*“However, sensitively incorporating a 3S cable car into an elevated mixed-use building adds complexity to a project. Designers must deal with issues related to noise, vibration, space availability and perhaps most importantly, access.*

*A loading platform located many storeys above ground level will exacerbate this problem and will require an accompanying system of elevators, stairs and/or escalators. The capacity of these systems linking to platform can ultimately limit (i.e. bottlenecks) the overall capacity of the cable car.”*

cont'd  
P709-20

## Traffic / Transportation:

How would the Dodger Stadium gondola station affect Circulation of Vehicles and pedestrian traffic around the Downtown Gate? Will it cause a bottleneck before and after games? I ask that an analysis of the vehicle circulation around the Dodger Stadium gondola station be done.

If people who are waiting in line for the gondola after a game or event become restless after 1 or 1.5 hours, won't many of them start walking down the road at the Downtown Gate? This seems like a likely outcome. Walkways need to be provided between the Gondola Station and Stadium Way for this purpose. Where there are already sidewalks, they need to be widened, improved, and maintained. This needs to be done regardless of whether there is a ticketing system for people to reserve tickets after games and events, in case the ticketing system goes down.

P709-21

Will the LA ART Gondola bring more rideshare traffic into my neighborhood, which is close to the Downtown Gate? Residents in some neighborhoods around Dodger Stadium have reported rideshare drivers using their neighborhoods as waiting areas, and noted that the rideshare companies actually encourage it by paying them a bonus. Will this happen in my neighborhood? There needs to be mitigation for this likely impact. This is just one example of how this gondola project would likely bring more traffic, congestion, and pollution into our neighborhoods, not less.

# Aesthetics



**StopTheGondola**  
@stopthegondola



LA ART says that the gondola to Dodger Stadium will be an iconic tourist attraction for Chinatown & Olvera Street, but the cookie-cutter station designs stick out in our historic districts. They look just like the ARTIC train station in Anaheim & Canary Wharf station in London.



6:11 PM · Jan 5, 2023 · **1,833** Views

[View Tweet analytics](#)

**3** Retweets **7** Likes

P709-22



**StopTheGondola** @stopthegondola · Jan 5



Replying to @stopthegondola

LA ART's gondola towers look like an awkward version of the Portland Tram's towers. Both are concrete, but LA ART's towers lurch over the street, like a tree about to fall down after heavy rain. One tower leans toward Metro Lofts, an apartment building for seniors in Chinatown.



1    3    6    276    ↑

cont'd  
P709-22

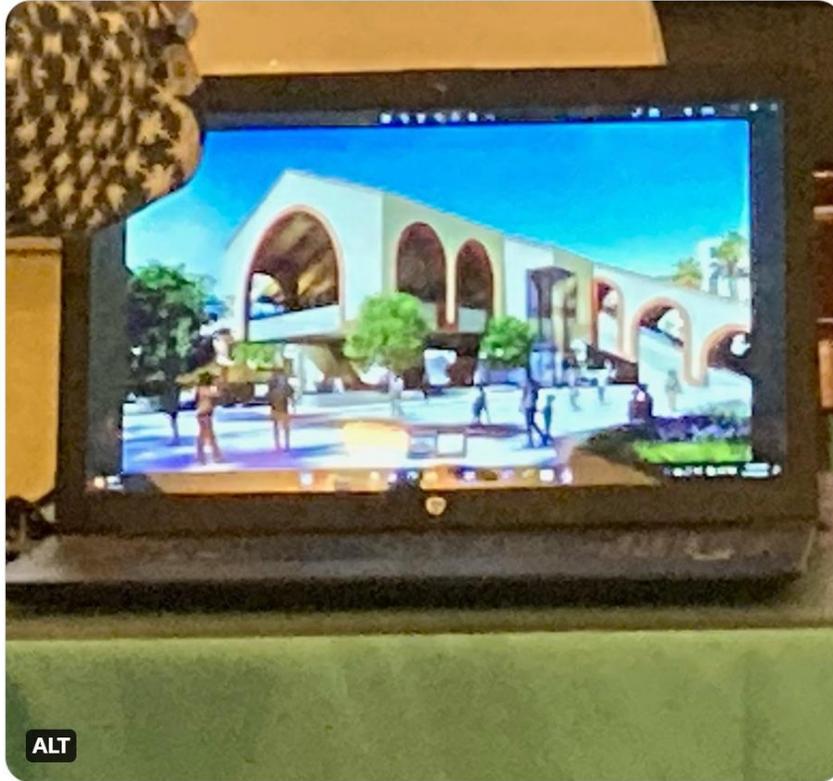
Gondola station and designs should not be cookie cutter or generic. This would be built at the birthplace of our city. LA ART claims this will be iconic, but how is the design iconic? There is no sense of place. Stations look generic and towers are a stark gray concrete. We don't need more gray concrete in our historic neighborhoods. The cabins also appear to be standard cabins.



**StopTheGondola** @stopthegondola · Jan 4

...

At a recent meeting with Olvera Street merchants, LA ART unveiled a redesigned **gondola** station to replace what the merchants called "a covered wagon," "Knott's Berry Farm," & "eyesore for the rest of our lives." This new design is giving us **dingbat vibes**. #StopTheGondola



P709-23

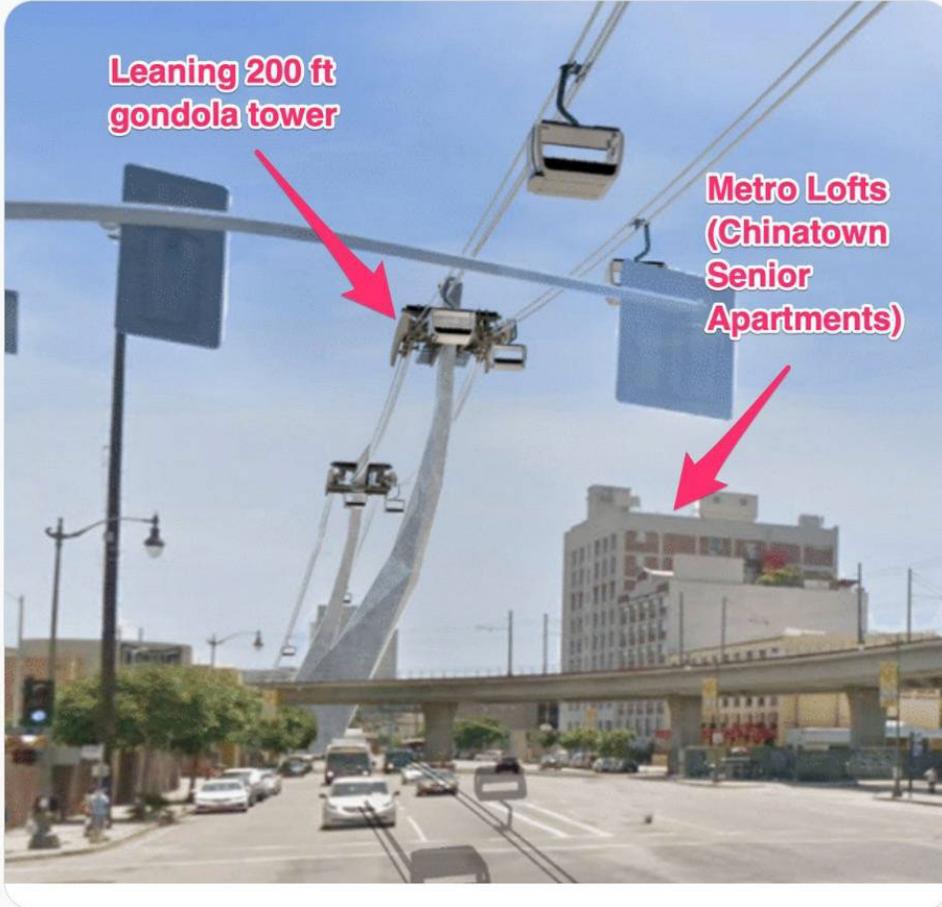
The "improved" station design that was recently presented to a group of El Pueblo merchants looks awkward, and like a dingbat, which is more of a mid century style.



Phyllis Ling [redacted] · Jan 11

Replying to @racheluranga

Who in their right mind would invite the **erection** of Frank McCourt's **gondola towers** in their neighborhood? [stopthegondola.org](http://stopthegondola.org)  
#StopTheGondola



P709-24

The tower leaning towards Metro Lofts looks like it could fall on the building. Even if it's engineered not to, it looks like it could fall down, which is bad Feng Shui. This seems culturally insensitive, considering that many Chinese seniors live at Metro Lofts.

### Alternatives

More alternatives should be studied. There are many ways to strengthen or build upon the existing infrastructure. The Yale Street bridge that crosses the 110 FWY

P709-25

needs more lighting. This would be a benefit to both residents and Dodgers fans. People have long talked about adding stairs and escalators up the hill to Dodger Stadium. They have those in Medellin, Colombia as well.

“How giant outdoor escalators transformed a Colombian neighborhood”

<https://www.cnn.com/travel/article/colombia-medellin-neighborhood/index.html>

“Tear Up the Dodger Stadium Parking Lot”

<https://legal-planet.org/2018/11/02/tear-up-the-dodger-stadium-parking-lot/>

Please also include in the record the following statement that I made at the January 12, 2023 DEIR meeting:

*I'm Phyllis. I live over there. The gondola would fly over me and my neighbors. And my house would face the mouth of the noisy Broadway Junction, a 98ft tall turning station.*

*I think you've seen how this hearing is not right, the way they are taking public comment. It's been like this since the beginning. Trying to hide, and not let it get out about how horrible this project is.*

*This project is not for us. This project is for Frank McCourt who is a developer, it's for the Olympics, which is for developers, and it's for the politicians who are in the pockets of developers. Frank McCourt wants to build right over us, 40 ft over my neighborhood, as if we're nameless faces. But we're not. We're a real community. I'm glad my sister and my neighbors are here tonight, as well as all of these residents and supporters in the larger community. It's really great to see people show up for each other and speak out.*

*There have been so many lies about this project from LA ART. But we know what this project is really about. Frank McCourt wants to build a*

cont'd  
P709-25

P709-26

P709-27

P709-28

*giant complex up at the Dodger Stadium parking lot. It's not a secret. If he has a permanent transit stop, that would give him incentives to build a massive development there.*

cont'd  
P709-28

*This project makes no sense. At max capacity, it can only handle a fraction of the attendance at Dodger Stadium, and how do you think they're getting to the gondola? By driving, most of them. You're only saving the last 1.2 miles. Maybe some will take transit, these are probably the same people who would have taken the Dodger Stadium Express, which we support. Let's support expanding and electrifying the Dodger Stadium Express, better enforced bus lanes, more bike lanes, better sidewalks, and an escalator up the hill for pedestrians. Not this boondoggle gondola.*

P709-29

*It doesn't help traffic.  
It doesn't connect us to parks or transit.  
Those are lies.*

*What it does is turn Chinatown into Dodger Stadium's parking lot. It takes away parking for businesses, it increases noise with this gondola running constantly, 18 hours per day, 6am to 12am. Not to mention the invasion of privacy.*

P709-30

*This gondola mows down the entrance of LA State Historic Park. That's OUR space. The whole point of a park in a city is for people who live in a dense urban environment, to get away from all that and to have some peaceful enjoyment in open space with open skies. It wasn't so that Frank McCourt could fly 5-ton metal cabins 26 ft over our heads.*

P709-31

*McCourt wanted to divide us in my neighborhood, buy us out, buy some of my neighbors out, so that we would quietly go away. He wanted to fly*

P709-32

*under the radar with this project, keep everything hush hush, and get the project approved before anyone knew what was going on. In 2018, they said it could be running by 2022. Remember that?*

cont'd  
P709-32

*My neighbors and I never even had a say about this project going over our neighborhood. And now Climate Resolve is putting their greenwashing slime all over it? It's disgusting!*

P709-33

*You'll hear some people say, "but the gondola will be so great, it will be iconic." Yeah, it'll be iconic alright. An iconic monument to injustice.*

*We're here to call it for what it is. A scam. And a shame. If you're standing up and supporting this, you need to wake up. You're teaming up with Frank McCourt who bankrupted the Dodgers. You're teaming up with those who erased the original Chinatown, and evicted the residents of La Loma, Bishop and Palo Verde to build Dodger Stadium. You're choosing that side of history. And you really don't have to.*

P709-34

*We're speaking out because we know the gondola sounds good at first, in theory — it's like, oh it would be so cool and fun — but there's a whole lot more to it. Some people, I think a lot of people, the ones who aren't greedy bastards, do come around. But we need everyone's help, so thank you for being here. We can do this together. Stop The Gondola!*

Thank you.

Sincerely,

Phyllis Ling

**From:** Phyllis Ling [REDACTED]  
**Sent:** 1/18/2023 1:01:49 AM  
**To:** LAART@metro.net, zelmerc@metro.net  
**Subject:** Comments on Draft EIR for LA ART Project

Dear Mr. Zelmer,

Please include the following attachment as comments for the LA ART Project DEIR.

Sincerely,

Phyllis Ling

|  
P710-1  
|



Will Proctor

It turns out that gondolas do not have enough capacity for areas with high peak demand like a ski resort (or say a baseball stadium). As a result of gondola overcrowding, Mammoth Lake's most frequent bus (blue line) parallels the gondola.

8:21

Special Needs riders after 5 pm, weekends and ESTA holidays with 24-hour notice. Call 760-924-3184 for fares and reservations.

2 of 2	Year-round	Departs Vons Stop #25: Arrives Reno Airport: Departs Reno Airport: Arrives Vons:	8:20 am Noon 1:40 pm 5:15 pm	One rou (Monday Call 800 for mor
South to Bishop, Lone Pine and Lancaster	Year-round	Departs Vons Stop #25: Arrives Lancaster: Departs Lancaster: Arrives Vons:	7:50 am 12:45 pm 2:00 pm 7:00 pm	One rou (Monday Call 800 for more
H Mammoth Lakes to/from Bishop	Year-round	Departs Mammoth for Bishop: Departs Bishop for Mammoth:	7:50 am, 2:05 pm, 5:15 pm, 7:05 pm 6:45 am, 7:25 am, 1:00 pm, 6:10 pm	Monday Call 800

P710-2



**eric nusbaum** ✓



I'm not sure how much my opinion matters, but as the author of a recent book about Dodger Stadium, public/private interests in LA, and the destruction of neighborhoods by outside forces, I am strongly against the gondola.



**Knock LA** @KnockDotLA · Jan 14

Chinatown residents with @stopthegondola are fighting against what they call an unjust and unnecessary project: a \$300 million gondola connecting Dodger Stadium to Union Station.

Read more from @realKathleenG:  
knock-la.com/las-dumb-gondo...

12:54 PM · Jan 17, 2023 · 6,682 Views

18 Retweets 71 Likes



Tweet your reply

Reply



**eric nusbaum** ✓ · 3h



Replying to @ericnus

I don't know how you can look at the history of the city (or the current issues it faces) and think "what we need is an expensive transit project through neighborhoods and parks that will only serve one private business."



Retweet 2

Like 19

Views 671



**Jon Weisman** ✓ · 3h



Replying to @ericnus

It is beyond insane, preposterous, choose your adjective.



Retweet

Like 2

Views 150



**Benjamin McKean** · 3h



Replying to @ericnus

OMG I did not realize that the genius behind this is Frank McCourt of all people COME ON



Retweet

Like 1

Views 124



P710-3



**StopTheGondola** [redacted] · Dec 29, 2022

...

In addition to destroying the entrance at LA State Historic Park, the LA ART gondola to Dodger Stadium would fly only 26ft over a hill where there are several thriving oak trees. Trees must be protected, not sacrificed for a private developer's tourism project. #StopTheGondola



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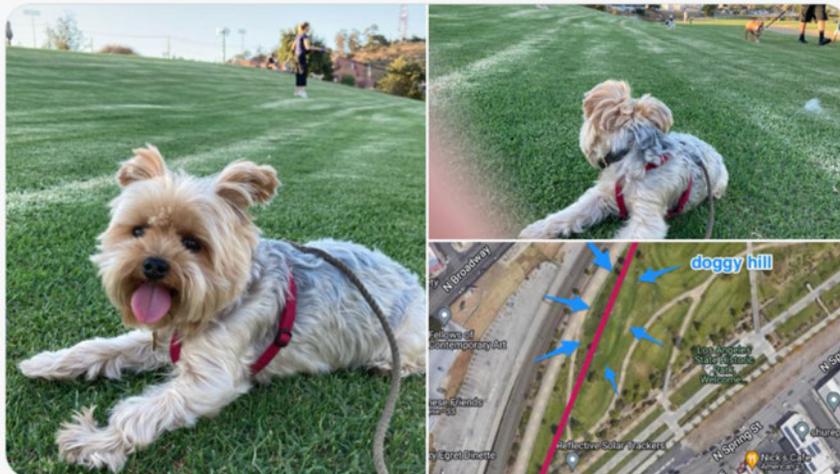
P710-4



**Phyllis Ling** [redacted] · Aug 3, 2022

...

#Yorkie Roy hanging out on what I call the "doggy hill" at @LASHP. It's the 1st hill when you enter the park from the south. Very popular with dogs. The McCourt gondola to Dodger Stadium, with its massive 40-person cabins, would fly over this hill. Not cool. 🗨️ 🗨️ 🗨️ #StopTheGondola



🗨️ 1 🔄 1 ❤️ 1 📊 📤

Show this thread

P710-5



**Phyllis Ling** [redacted] · Oct 17, 2022

...

Poor bird. I hear geese or ducks fly over my **neighborhood** a lot, and wonder if they would be spooked by the towers & steel cables of Frank McCourt's **gondola**, especially at night. The last thing **Dodgers** need is bad karma from injured birds. [#StopMcCourt](#) [#StopTheGondola](#)



**Jon Christensen** @the\_wrangler · Oct 16, 2022

Some believe a goose jinxed the @Dodgers. I believe it was Frank McCourt, who thought a winning season and pennant race presented an opportunity to foist his latest scheme on the team: a gondola to the stadium and a huge entertainment complex on the parking lots. [#stopthegondola](#)



P710-6

**From:** Miho Murai <info@email.actionnetwork.org>  
**Sent:** 01/17/2023, 4:55 PM  
**To:** [LAART@metro.net](mailto:LAART@metro.net)  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

Hello,

My name is Miho Murai and I am a Chinatown resident. I am also an At Large Board Member of the Historic Cultural North Neighborhood Council. I am writing to voice my opposition to the Los Angeles Aerial Rapid Transit Project ("the Gondola Project") at Dodger Stadium. I am submitting this opposition on behalf of myself and not our Neighborhood Council. As a current resident of Chinatown living by the highly congested intersection of College and New Depot, I will be greatly impacted by this project.

P711-1

This is a ridiculous project that does not serve any benefits to our community. Rather, the Gondola Project will increase traffic around Chinatown and Union Station and will displace the traffic from Dodger Stadium and push it into the surrounding communities. The majority of the people who will likely utilize the Gondola will not be residents of Chinatown. Where will they park? As it is, the parking lot at Union Station is often full.

P711-2

In addition, the Gondola Project will impact historic and cultural places such as the Los Angeles State Historic Park, the historic Union Station, and El Pueblo de Los Angeles Historic Monument. The projected towers will obstruct views and will diminish the natural beauty of Chinatown and these historical landscapes.

P711-3

Finally, there has been a lack of transparency in how this project has been developing. For example, Metro went forward with this project without an open public process and without competitive bidding. It is unclear who will actually own and operate this project. It is unclear who will be paying for its maintenance. Will these costs fall on taxpayers, such as myself and my neighbors, who are adamantly opposed to this project? The Chinatown community does not need a tourist attraction but rather we need affordable housing, reliable public transportation, and a grocery store that caters to our elders.

P711-4

P711-5

As an active community member, I ask you to please consider the wishes and needs of our community before you allow this ridiculous project to move forward. Please listen to the voices of the community and give us an opportunity to be meaningfully heard. The Gondola Project does not serve our community in any way. Those who support the project do not live in Chinatown and will not be ones that will be impacted by this project.

P711-6

Thank you for your time and consideration.

Sincerely,  
Miho Murai  
Chinatown Resident

Miho Murai

[Redacted signature block]

**From:** Phyllis Ling [REDACTED]  
**Sent:** 1/18/2023 12:51:46 AM  
**To:** LAART@metro.net, zelmerc@metro.net  
**Subject:** Additional Comments on Draft EIR for LA ART Project

Dear Mr. Zelmer,

I am OPPOSED to the LA ART Gondola Project.

Please include my comment letter and supporting document in the official file for the DEIR.

Sincerely,

Phyllis Ling

|  
P712-1  
|

**From:** maria gritsch [REDACTED]  
**Sent:** 1/17/2023 8:00:28 PM  
**To:** "LAART@metro.net" <LAART@metro.net>  
**Subject:** We OPPOSE the aerial tramway to Dodger Stadium

We are OPPOSED to the proposed aerial tramway to Dodger Stadium.  
Please delete this plan.  
Thank you in advance.  
Maria Gritsch TenHouten  
Warren D. TenHouten

[REDACTED] Angeles, CA 90046

|  
P713-1  
|

**From:** Christopher Roman [REDACTED]  
**Sent:** 1/18/2023 3:54:12 AM  
**To:** LAART@metro.net  
**Subject:** Comments re: Aerial Rapid Transit

To Whom it May Concern:

I am very strongly in favor of this initiative. Innovative projects of this nature are key to encouraging the use of public transportation and reducing the volume of cars on our region's roads.

P714-1

I live in Mozaic Apartments, immediately adjoining the proposed Union Station stop of the tram line. Every home Dodger game, I see a dramatic increase in car and bus traffic (particularly due to the extremely heavily used Dodger Express) around Union Station. Having an aerial tram carry these passengers would lessen the reliance of Dodger fans on traveling by road to the stadium, particularly a road that sees extraordinarily heavy traffic on game days. Even on non-game days, this tram would offer a convenient mode of transit to travel north on Alameda from Union Station to Chinatown and the LA State Historic Park area.

P714-2

Additionally, I think this development would be a positive one for this area, as it would be a major draw for tourists and an instant city landmark. It would bring more foot traffic and attention to historic Olvera Street and Union Station. Riding the tram would also be a fun leisure activity, offering fantastic views of the LA State Historic Park and the downtown skyline even on non-game days.

P714-3

This is a unique and exciting opportunity, one that any world-class city should jump to embrace. I hope to see this project approved and constructed. Thank you.

--  
Christopher Roman

**From:** Maria X. Manzanilla [REDACTED]  
**Sent:** 10/16/2022 7:03:53 PM  
**To:** Rockwell, Holly [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=09fcfc15fbd846e0961daf05db7435a9-Rockwell, H]  
**CC:** Board Clerk [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=41e930ed02944980ab2e8a0fa865d894-BoardSecret]  
**Subject:** Extend Public Comment Period for LA ART project Draft Environmental Impact Report

Dear Ms. Rockwell,

I'm writing to request a 45-day extension of the public comment period for the Los Angeles Aerial Rapid Transit Draft Environmental Impact Report so that the total comment period would be 90 days.

P715-1

The community deserves to be heard and provided the opportunity to meaningfully participate in the CEQA process. We know that draft environmental impact reports like this one will likely be long and complex, requiring time to review and analyze the full details of this project.

P715-2

LA ART and METRO have failed to provide opportunities for our community members to ask questions, raise concerns, and provide meaningful input. We have not received information on important details of the project and will need sufficient time to review and understand it.

P715-3

A 45-day extension to ensure proper community engagement is not only the right thing to do, it's necessary for a public comment period that would fall squarely during the holiday season when COVID-19 is likely to spike, thereby limiting the ability for proper outreach and education efforts.

Please do the right thing in extending the comment period by 45-days to give our neighborhoods an opportunity to review and participate after the holiday season.

Sincerely,

P715-4

Xochitl Manzanilla  
LASHP Promotora

**From:** Tany Ling [REDACTED]  
**Sent:** 10/11/2022 11:42:45 AM  
**To:** Rockwell, Holly [RockwellH@metro.net]  
**CC:** Board Clerk [BoardClerk@metro.net]  
**Subject:** Extend Public Comment Period for LA ART project Draft Environmental Impact Report

Dear Ms. Rockwell,

I'm writing to request a 45-day extension of the public comment period for the Los Angeles Aerial Rapid Transit Draft Environmental Impact Report so that the total comment period would be 90 days.

The community deserves to be heard and provided the opportunity to meaningfully participate in the CEQA process. We know that draft environmental impact reports like this one will likely be long and complex, requiring time to review and analyze the full details of this project.

LA ART and METRO have failed to provide opportunities for our community members to ask questions, raise concerns, and provide meaningful input. We have not received information on important details of the project and will need sufficient time to review and understand it.

A 45-day extension to ensure proper community engagement is not only the right thing to do, it's necessary for a public comment period that would fall squarely during the holiday season when COVID-19 is likely to spike, thereby limiting the ability for proper outreach and education efforts.

Please do the right thing in extending the comment period by 45-days to give our neighborhoods an opportunity to review and participate after the holiday season.

Sincerely,

Tany Ling  
resident of Chinatown/Solano Canyon

P716-1

P716-2

P716-3

P716-4

**From:** Alex Ward [REDACTED]  
**Sent:** 10/10/2022 12:46:01 PM  
**To:** Rockwell, Holly [RockwellH@metro.net]  
**CC:** Board Clerk [BoardClerk@metro.net]  
**Subject:** Extend Public Comment Period for LA ART project Draft Environmental Impact Report

To: Holly Rockwell ([RockwellH@metro.net](mailto:RockwellH@metro.net))  
 CC: [boardclerk@metro.net](mailto:boardclerk@metro.net)

Subject: Extend Public Comment Period for LA ART project Draft Environmental Impact Report

Dear Ms. Rockwell,

I'm writing to request a 45-day extension of the public comment period for the Los Angeles Aerial Rapid Transit Draft Environmental Impact Report so that the total comment period would be 90 days.

P717-1

The community deserves to be heard and provided the opportunity to meaningfully participate in the CEQA process. We know that draft environmental impact reports like this one will likely be long and complex, requiring time to review and analyze the full details of this project.

P717-2

LA ART and METRO have failed to provide opportunities for our community members to ask questions, raise concerns, and provide meaningful input. We have not received information on important details of the project and will need sufficient time to review and understand it.

P717-3

A 45-day extension to ensure proper community engagement is not only the right thing to do, it's necessary for a public comment period that would fall squarely during the holiday season when COVID-19 is likely to spike, thereby limiting the ability for proper outreach and education efforts.

Please do the right thing in extending the comment period by 45-days to give our neighborhoods an opportunity to review and participate after the holiday season.

P717-4

Sincerely,

Alex Ward  
**alex ward, architect**  
 [REDACTED]  
 santa monica, ca 90405  
 [REDACTED]

**Comment Letter – P718 – P729**

*Comment numbers have been intentionally skipped.*

**From:** Charles Robinson <info@email.actionnetwork.org>

**Sent:** 01/16/2023, 7:26 PM

**To:** [LAART@metro.net](mailto:LAART@metro.net)

**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

I am writing to voice my opposition to the Los Angeles Aerial Rapid Transit Project ("The Gondola" at Dodger Stadium). I have lived in Los Angeles my entire life, and I have used public transport my entire life. The Gondola project wastes money and resources that could go towards increasing affordable, reliable public transit for Angelinos.

P730-1

Charles Robinson

[REDACTED]

[REDACTED]

Los Angeles, California 90042

**From:** Manohla Dargis [REDACTED]  
**Sent:** 1/19/2023 12:11:24 AM  
**To:** LAART@metro.net  
**Subject:** comment on Frank McCourt's gondola

I am writing to express my vehement opposition to the Los Angeles Aerial Rapid Transit Project a.k.a. Frank McCourt's preposterous and outrageous gondola project.

P731-1

It is unimaginable that this rich man's folly would have gotten this far if it had been proposed for a wealthy neighborhood like Bel Air – it would have been shut down \*immediately\*. The objections from community members and many others to this undemocratic proposal are informed and persuasive. This project is terrible for people, terrible for the environment and terrible for the City of Los Angeles.

P731-2

P731-3

As Kathleen Johnson, the executive director of Los Angeles River State Park Partners, recently wrote in a letter that was published in The Los Angeles Times  
<<https://www.latimes.com/opinion/letters-to-the-editor/story/2023-01-12/frank-mccourts-dodger-stadium-gondola>>:

P731-4

"Metro's opaque deal with former Dodgers owner Frank McCourt to build a gondola to Dodger Stadium through LA State Historic Park would severely compromise people's experience of the park, a taxpayer-funded green space that the area's historically underserved residents fought for decades to establish.

"The gondola would take public park land, destroy 81 mature trees, permanently alter the park's thoughtfully designed vistas, jeopardize park event revenues and vital maintenance, and threaten the park's significant historic features.

P731-4

"These impacts on the park would be an environmental injustice. LA State Historic Park was born from an outpouring of community activism that transformed a rail yard into a green urban oasis, with all of the related health and community benefits. It is well used by residents, neighbors and visitors from throughout the city and has also become a vital, climate-resilient native landscape supporting local wildlife.

"After this long-fought struggle, people deserve to have their original designs and uses for the park respected and their public land protected.

"A project such as this would never be proposed over New York's Central Park, so why should the residents of Northeast L.A. be subjected to it?"

I also echo the concerns voiced in another letter to The Times  
<<https://www.latimes.com/opinion/letters-to-the-editor/story/2023-01-12/frank-mccourts-dodger-stadium-gondola>>,  
this one from Jon Christensen, an adjunct assistant professor at UCLA's  
Institute of the Environment and Sustainability:

"A study conducted by my colleagues at the UCLA Mobility Lab  
<[https://uploads-ssl.webflow.com/61c3996ce146bfa8fc27adeb/635c2657c071e02577a5c5a0\\_Report%20on%20UCLA%20study%20of](https://uploads-ssl.webflow.com/61c3996ce146bfa8fc27adeb/635c2657c071e02577a5c5a0_Report%20on%20UCLA%20study%20of)>

found that the gondola will not reduce traffic significantly on the streets  
and highways around Dodger Stadium on game days and, therefore, will not  
reduce greenhouse gas emissions.

"Furthermore, McCourt has not donated the project to Climate Resolve,  
according to county counsel. So why is Climate Resolve shilling for the  
project, while McCourt remains silent about his end game, a massive  
entertainment complex on the Dodger Stadium parking lots, which he has long  
touted?"

"This is greenwashing, pure and simple. We have better solutions. The  
existing Dodger Stadium Express from L.A. Union Station is 19 times more  
energy efficient than the gondola would be per passenger trip. An  
individual electric vehicle is eight times more efficient."

Sincerely,  
Manohla Dargis

P731-5

**From:** "Dickerson, Justin" [REDACTED]  
**Sent:** 1/18/2023 5:33:32 PM  
**To:** laart@metro.net, TeamCD4 <contactCD4@lacity.org>, councilmember.krekorian@lacity.org  
**Subject:** I Oppose LA Aerial Rapid Transit Project

To Whom It May Concern:

I oppose the proposed aerial gondola system between Union Station and Dodger Stadium called LA ART.

P732-1

As background, I live in Studio City, which has become a designated sacrifice community for the commercial benefit of Van Nuys Airport (VNY) and Burbank Airport (BUR).

P732-2

I do not live near either airport, and there were not overflights here until the FAA implemented its NextGen airspace modernization program. FAA NextGen (1) concentrated what had been for decades a 6-mile wide dispersed departure path, (2) moved it 3 miles to the south, and (3) lowered the altitude for a long, slow ascent. As if this was not enough for a single community to bear from 2 airports, the FAA also layered in eastern arrivals and terrifyingly low wind arrivals.

P732-3

Studio City now has near-constant low-flying aircraft overhead. The FAA chose Studio City to absorb extreme amounts of noise and pollution from 2 airports, and, worse, did so without any consideration of ground impacts from the FAA's changes. Los Angeles is better than this.

\*Severe negative impacts for a tourist attraction\*

P732-4

Given the above, I am all too familiar with what it is like having transportation "progress" added in the airspace that was not there before. Like FAA NextGen at these airports, commercial gain from the aerial gondola (for a private corporation) is being prioritized while ignoring the negative impacts on communities that unfortunately live, work, and go to school below the proposed aerial pathway.

P732-5

These communities will suffer severe negative impacts including loss of privacy (gondolas will be less than 40 feet above homes!) and cluttered airspace ... for a tourist attraction. A \$120 ride for a family of 4 to Dodger Stadium is not a transportation solution, but merely a gimmick.

P732-6

According to a UCLA Mobility Lab study dated October 24, 2022, LA ART would not significantly reduce traffic around Dodger Stadium, will not reduce greenhouse gas emissions, will carry fewer passengers than LA ART claims, will not likely be used after the games, and will unlikely be used for any transportation aside from the games. There are far better ways to meet the objectives through alternatives, including better use of existing bus lanes.

P732-7

\*LA ART similar to City's push for AAM/UAM implementation\*

P732-8

LA ART is strikingly similar to the city's effort to benefit the aviation industry through the rollout of Advanced Air Mobility/Urban Air Mobility ("AAM/UAM") in Los Angeles.

P732-9

Similar to the gondolas, the AAM/UAM "flying taxis" will hold 2-4 people, fly at low altitude (350 ft AGL), serve only high-income users, and will not reduce freeway traffic. AAM/UAM has been pushed forward at breakneck speed behind-the-scenes without any meaningful community engagement or community input. All while the public is left in the dark on what additional burdens are to come, for the sake of private economic benefit, to those under a flight path or a gondola track.

P732-10

Please stop ignoring severe human and environmental costs for monetary gain of private corporations. Include citizens in the process and take their concerns to heart.

P732-11

Most importantly, \*stop LA ART and stop AAM/UAM\*. Neither is an actual transportation solution, but both are nightmares for communities and natural spaces beneath them.

P732-12

Sincerely,

Justin Dickerson

**From:** Sara Feldman <info@email.actionnetwork.org>  
**Sent:** 01/18/2023, 1:14 PM  
**To:** [LAART@metro.net](mailto:LAART@metro.net)  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

I am writing to voice my opposition to the Los Angeles Aerial Rapid Transit Project ("The Gondola" at Dodger Stadium). I no longer live in Los Angeles, but from 2001 to 2013 I was the Vice President for Programs at the California State Park Foundation. In that capacity, I work tirelessly with California State Parks on the development of this important, groundbreaking, innovative public park. I watched it grow from a brownfield to a cornfield, to a green park filled with stunning views, beautiful trees, historic interpretation and spaces of all sorts for the community to gather and participate in a wide variety of activities.

P733-1

I write now as a private citizen, but my time at the Foundation afforded me a deep inside into the value of this unique park.

The Gondola Project's enormous towers will cause aesthetic impacts in the community. I am concerned that the towers will obstruct views, and that the gondola cars will be used for advertising and electronic billboards.

P733-2

The Gondola Project's displacement of traffic onto the surrounding neighborhoods will worsen air quality impacts from tailpipe emissions in an already overburdened community.

P733-3

The Gondola Project's will increase traffic around Chinatown and Union Station. This project is designed to displace heavy traffic from Dodger Stadium and push it onto the surrounding communities.

P733-4

This project will increase the impacts of air pollution from vehicle emissions in an area already overburdened by air emissions.

P733-5

This project will lead to displacement and increase the cost of rent in the area, and will lead to future commercial development in Chavez Ravine, without community input and without disclosure to the community.

P733-6

Metro went forward with this project without an open public process and without competitive bidding. I don't understand the ownership or operation of the project because the details have been hidden. Who is paying for this project? Will taxpayers be left holding the bag? This is the absolute opposite of what happened with the development of the park, which involved extensive community consultation and was very transparent.

P733-7

P733-8

I strongly urge Metro to view this proposal with a very critical eye and remember the community that fought so hard for this park, which has become a symbol of innovation and beauty far beyond just downtown.

P733-9

Sincerely,

Sara Feldman

[Redacted Signature]

Durham, North Carolina 27703



# ECHO PARK NEIGHBORHOOD COUNCIL



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Danielle Davis

**VICE CHAIR**  
Liz Staley

**CHIEF INFORMATION OFFICER**  
Vacant

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CERTIFIED COUNCIL  
APRIL 16, 2002

1226 N ALVARADO ST  
LOS ANGELES, CA 90026

(323) 487-9124

INFO@ECHOPARKNC.COM  
WWW.ECHOPARKNC.COM

## REQUEST FOR ACTION: RESPONSE TO LA ART DRAFT EIR

JANUARY 30, 2023

**VIA EMAIL**

COUNCILMEMBER DISTRICT 1,  
ATTN: EUNISSES HERNANDEZ, COUNCILMEMBER.HERNANDEZ@LACITY.ORG  
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY,  
ATTN: CORY ZELMER, DEPUTY EXEC OFFICER, LAART@METRO.NET

On behalf of the Echo Park Neighborhood Council (EPNC), I would like to submit a comment in response to the Draft Environmental Impact Report (EIR) published by AECOM for LA Metro. The Echo Park Neighborhood Council would like to highlight and echo some concerns already raised by the residents of Echo Park, our neighbors and community partners regarding the environmental and cultural impacts of the proposed project.

P734-1

I. Response to Claim of Reduced Traffic Congestion

LA ART is proposing that the new gondola transit system would help to alleviate the traffic caused by the popular games at Dodger Stadium. While traffic congestion and pedestrian safety is a major concern for local residents, the free bus system from Union Station to the Stadium already offers an alternative to driving to the games. In fact, UCLA published an independent study that claimed the gondola system would actually do little to reduce the traffic congestion in and around the stadium. EPNC is concerned that instead of diverting the 3,000 drivers LA ART claims it will divert in its report, the gondola will instead divert less drivers and actually divert users of the free shuttle system. Furthermore, LA ART has not discussed any parking plans to accommodate these 3,000 drivers at either of the transit stations at Union Square or Chinatown Gold Line station. EPNC is concerned that with increased traffic and street parking in these areas, pedestrian and cyclist safety will be at risk. LA ART also has not proposed additional safety measures to address this concern.

P734-2

P734-3

EPNC would like to see further studies on this subject and would like LA ART to incorporate more pedestrian + bike friendly additions to the project to truly alleviate traffic in our neighborhood. LA ART has already suggested building a pedestrian

P743-4

bridge to connect Broadway to LA Historic Park as a part of its contribution to the neighborhood. LA ART could also help to install more public escalators and walkways to make walking to the stadium from the LA Historic/Chinatown area more feasible. With the Project in its present form, EPNC is not convinced that there is in fact a significant benefit to our community as it relates to traffic congestion.

cont'd  
P743-4

P734-5

## II. In Response to Adverse Community Impacts

Our neighbors in Chinatown have raised concerns over noise pollution, privacy and risk of gentrification that would come with the construction of this transit system. Chinatown is already a community that has faced issues of gentrification due to outside investment and subsequent displacement of local residents and businesses. At present, there are no protections for Chinatown residents and legacy businesses that would ensure their survival in the community. EPNC would like to see LA ART do more to ensure the survival of legacy businesses in Chinatown should the project move forward. A suggestion would be to place a Chinatown non-profit as the lease holder for the concession stands planned for the station so that priority can be given to a local legacy business. Cost to ride the gondola for community members should also be free at all times.

P734-6

EPNC would also like to echo that LA ART should do more to invest in the local communities that they are crossing into, and make the addition of shade structures, benches, trees and sidewalk improvements a permanent and 100% assured addition to the project and neighborhood in Chinatown. EPNC also supports the addition of the pedestrian walkway from Broadway to LA Historic Park and the placement of bike ride share stations at each transit station.

P734-7

In conclusion, the proposed project in its present form, does not provide a substantial enough benefit to the community or surrounding environment for EPNC to support. LA ART would need to meet all of its suggested improvements and much more in order for the community to feel like it was a positive addition to our neighborhoods.

P734-8

### **RESOLUTION**

On January 24, 2023, the EPNC Board of Governors held a Brown Act noticed-meeting, at 7pm through zoom. With a quorum of 15 board members present and vote count of 15 yeas, 0 nays, and 0 abstentions, the Board resolved to write a request for action for the application as set forth above.

P734-9

Respectfully,  
Echo Park Neighborhood Council

  
\_\_\_\_\_  
Nick Marcone  
Secretary, Echo Park Neighborhood Council

**From:** "Zelmer, Cory" <ZelmerC@metro.net>  
**Sent:** 1/31/2023 10:49:52 PM  
**To:** LAART <LAART@metro.net>  
**Subject:** FW: Most Current Comment on LA Aerial Rapid Transit Project and 1/12/23 Cathedral High School Meeting.

-----Original Message-----

From: Luk, Maria <LukM@metro.net>  
Sent: Monday, January 30, 2023 7:39 AM  
To: Zelmer, Cory <ZelmerC@metro.net>  
Cc: Mieger, David <MiegerD@metro.net>; Rockwell, Holly <RockwellH@metro.net>; Sosa, Ray <SosaRa@metro.net>; De La Loza, James <DelalozaJ@metro.net>  
Subject: FW: Most Current Comment on LA Aerial Rapid Transit Project and 1/12/23 Cathedral High School Meeting.

Hi Cory - please prepare a response letter for Stephanie's review/signature.

Thanks.

-----Original Message-----

From: De La Loza, James <DelalozaJ@metro.net>  
Sent: Monday, January 30, 2023 6:01 AM  
To: Luk, Maria <LukM@metro.net>  
Subject: FW: Most Current Comment on LA Aerial Rapid Transit Project and 1/12/23 Cathedral High School Meeting.

-----Original Message-----

From: Wiggins, Stephanie <WIGGINSS@metro.net>  
Sent: Monday, January 30, 2023 6:00 AM  
To: De La Loza, James <DelalozaJ@metro.net>  
Cc: Rapose, Yvette <RAPOSEY@metro.net>; Vides, Jennifer <VidesJ@metro.net>; Englund, Nicole <EnglundN@metro.net>; Bovell, Althea <BovellA@metro.net>  
Subject: FW: Most Current Comment on LA Aerial Rapid Transit Project and 1/12/23 Cathedral High School Meeting.

FYA - I presume Corey will respond to the complaint?

-----Original Message-----

From: LA Union Station HS [REDACTED]  
Sent: Tuesday, January 17, 2023 5:30 PM  
To: Wiggins, Stephanie <WIGGINSS@metro.net>  
Subject: Most Current Comment on LA Aerial Rapid Transit Project and 1/12/23 Cathedral High School Meeting.

Dear Ms. Wiggins,

Attached are the comments to Mr. Zelmer concerning the LAART "Gondola" project and particularly the meeting hosted by him at Cathedral High School on January 12, 2023. As a result of the meeting, the Los Angeles Union Station's Board of Directors is calling for the reschedule of the meeting because of the complete disarray of the 1/12/23 event and the lack of Disabled Parking which made it unreasonably difficult for people such as myself. We also believe that Mr. Zelmer failed terribly in the execution of his duty hosting the very important and public meeting and request that he be reassigned away from the "Gondola" project.

Respectfully,  
/s/  
Thomas R. Savio  
Executive Director,  
Los Angeles Union Station Historical Society

P735-1

P735-2



**LOS ANGELES UNION STATION HISTORICAL SOCIETY**

P.O. Box 411682, Los Angeles CA 90041

www.launionstationhs.org



January 17, 2023, 3PM PST

Mr. Cory Zelmer  
Deputy Executive Officer  
Los Angeles County Metropolitan Transportation Authority  
1 Gateway Plaza, Mail Stop 99-22-6  
Los Angeles, CA 90012

**Ref: Comments and Complaints against LAART, its Draft Environmental Report and DEIR meeting at Cathedral High School**

Dear Mr. Zelmer,

I was present at the recent LAART Gondola meeting hosted by you, and/or LA Metro, Frank McCourt, Los Angeles Aerial Rapid Transit, ClimateResolve, Cathedral High School and Does 1 to 10. I attended as the representative of the Los Angeles Union Station Historical Society (LAUSHS). Here are my recollections that in our opinion brings into question the legitimacy of the meeting:

- A) Although I arrived at Cathedral High School meeting venue at the beginning of the meeting, I was delayed by thirty minutes getting to the venue because there was no **Disabled Parking** in or around Cathedral High School. (This has since been confirmed by Cathedral High School staff.) Consequently, I was late because I am a **Disabled Person**, and since all normal street parking was occupied by residents and/or meeting participants, I was obliged to park on the sidewalk after driving about for nearly 30 minutes, in fear of not representing the views of the LAUSHS. Consequently, I waddled with cane in hand to the distance to the meeting. This, in our opinion, a reasonable person would conclude that Mr. Zelmer and/or other “hosts” do not care about providing reasonable accommodations for **Disabled Persons** and myself. Furthermore, it indicates to us Mr. Zelmer’s indifference to the **Disabled** and/or his **incompetence** in hosting same at the public meeting.
- B) When I finally entered the meeting, it had the appearance and sound of a **near riot**. I was told by bystanders that the spontaneous demonstration was because Mr. Zelmer and other hosts refused to take any questions of the 70 to 100 members of the local community in attendance. It is our opinion that a reasonable person might conclude that Mr. Zelmer is incompetent in representing Metro, and LAART in a public forum.
- C) Furthermore, the working press and Community representatives said that they were told to ask Brother John Montgomery, Principal of Cathedral High School for answers to their questions on LAART. Brother John is not to our knowledge a credentialed transit or environmental expert. (All known nonaligned experts and the Sierra Club are against the Gondola.) Brother John then extolled to them via nation-wide TV, the reasons he saw for building the Gondola, without mentioning the pertinent fact that his employer, Cathedral High School, gets significant funds from Frank McCourt, an apparent conflict of interest in our opinion.
- D) Therefore, the Los Angeles Union Station Historical Society has concluded that given all the above, the legal validity of the meeting was compromised and that a new meeting should be rescheduled with a live democratic

P736-1

P736-2

P736-3

P736-4

P736-5

give-and-take on the issues, better crowd control and hosted by an uncompromised Metro meeting expert, not Mr. Zelmer who a reasonable person might conclude is compromised by an apparent conflict of interest in that he is a Metro employee in charge of investigating the Gondola project for the public weal whilst his salary is gifted to Metro by the Gondola's chief proponent and benefactor Frank McCourt.

cont'd  
P736-5

Respectfully,  
/s/  
Thomas R. Savio  
Executive Director,  
Los Angeles Union Station Historical Society

Cc. Stephanie Wiggins, Metro CEO

**From:** Macias, Karina [REDACTED]  
**Sent:** 2/1/2023 8:45:21 AM  
**To:** Zelmer, Cory [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3e2ad7acc5414ea394bde78db47b52a8-Zelmer, Cor]  
**CC:** Englund, Nicole [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3140528cafc64425ad66c2bb23371f91-Englund, Ni]  
**Subject:** FW: Los Angeles Aerial Rapid Transit - NEW VIRTUAL PUBLIC HEARING 2/8/23

Hi Cory,

Hope you are doing well. Good to see Metro is hosting this public hearing to continue accepting comments after proceedings at Cathedral High were disrupted.

I am following up in hope that you can help me get more information about this virtual hearing’s format. Specifically, what measures will the project team be implementing to ensure that the “continued” public hearing format:

- allows **all** participants to record their comment(s) and their affiliation (e.g., project area resident, CBO, etc.)
- supports multi-language informational presentation and comment recording, and
- provides interested participants without access to a computer can participate.

P737-1

Thanks so much in advance for your help!

Karina Macias  
*Senior Deputy, Transportation and Infrastructure*  
 Los Angeles County Supervisor Hilda L. Solis, First District

---

**From:** Los Angeles County Metropolitan Transportation Authority <noreply@metro.net>  
**Sent:** Tuesday, January 31, 2023 12:51 PM  
**To:** Macias, Karina [REDACTED]  
**Subject:** Los Angeles Aerial Rapid Transit

**CAUTION: External Email. Proceed Responsibly.**



## **LA ART: Metro to Hold Continued Public Hearing**

---

LA Aerial Rapid Transit Technologies LLC is proposing the Los Angeles Aerial Rapid Transit Project, which would connect Los Angeles Union Station to the Dodger Stadium property with an intermediate station at the Los Angeles State Historic Park via a zero-emission aerial rapid transit gondola system in downtown Los Angeles. Los Angeles County Metropolitan Transportation Authority (Metro) is the lead agency under the California Environmental Quality Act (CEQA) and has prepared a Draft Environmental Impact Report (DEIR) to evaluate the potential for environmental impacts resulting from the proposed Project.

Today, Metro announced that it will be holding a continued public hearing from the January 12, 2023 public hearing on-line via Zoom on February 8, 2023. This continued public hearing is provided in recognition that interested members of the public may have been unable to provide testimony at the January 12, 2023 in person public hearing due to disruptions from certain attendees. This continued public hearing is for the sole purpose of receiving verbal public testimony on the Draft EIR for the proposed project. Verbal comments received at this continued public hearing will be deemed timely received for the purposes of the Draft EIR public comment period, which concluded on January 17, 2023.

### **Virtual Continued Public Hearing via Zoom:**

**February 8, 2023; 5pm to 7pm**

Zoom Link: <https://us06web.zoom.us/j/85673432272>

Webinar ID: 856 7343 2272

Call-in: (669) 900-6833

Toll-Free Call-in: (888) 475-4499

Materials from the prior December 10, 2022, December 13, 2022, and January 12, 2023 public hearings are available [here](#).

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## **LA ART: Metro llevará a cabo una Continuación de Audiencia Pública**

LA Aerial Rapid Transit Technologies LLC está proponiendo el Proyecto de Transporte Rápido Aéreo de Los Ángeles (Los Angeles Aerial Rapid Transit Project), que conectaría la estación Los Angeles Union Station con la propiedad del estadio Dodger Stadium, con una estación intermedia en el parque Los Angeles State Historic Park a través de un sistema de góndolas de transporte rápido elevado de cero emisiones en el centro de Los Ángeles. La autoridad de transporte Los Angeles County Metropolitan Transportation Authority (Metro) es la agencia líder, según la Ley de Calidad Ambiental de California (California Environmental Quality Act (CEQA)), y ha preparado un Borrador de Informe de Impacto Ambiental (DEIR) para evaluar el posible impacto ambiental resultante del proyecto propuesto.

Metro ha anunciado hoy que el 8 de febrero de 2023 llevará a cabo en línea vía Zoom una continuación de la audiencia pública del 12 de enero de 2023. Esta continuación de audiencia pública se ofrece reconociendo que pudo haber miembros interesados del público que no pudieron dar su testimonio en la audiencia pública presencial del 12 de enero de 2023 debido a las interrupciones de algunos asistentes. Esta continuación de audiencia pública tiene el único propósito de recibir testimonios verbales del público sobre el Borrador del EIR del proyecto propuesto. Los comentarios verbales recibidos en esta continuación de audiencia pública se considerarán recibidos a tiempo para los fines del período de comentarios públicos del Borrador del EIR, que concluyó el 17 de enero de 2023.

### **Continuación Virtual de Audiencia Pública vía Zoom:**

**8 de febrero de 2023; de 5pm a 7pm**

Enlace de Zoom: <https://us06web.zoom.us/j/85673432272>

Webinar ID: 856 7343 2272

Llámenos: (669) 900-6833

Llámenos sin costo: (888) 475-4499

El material de las audiencias públicas previas del 10 de diciembre de 2022, del 13 de diciembre de 2022 y del 12 de enero de 2023 está disponible

en: [https://www.dropbox.com/sh/trfpt09to0kp4a8/AAAWMSsj-qjWnORBp9kkK056a/Documents?dl=0&subfolder\\_nav\\_tracking=1](https://www.dropbox.com/sh/trfpt09to0kp4a8/AAAWMSsj-qjWnORBp9kkK056a/Documents?dl=0&subfolder_nav_tracking=1)

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## **洛杉矶空中快捷交通：都会交通管理局将举办后续公众听证会**

洛杉矶空中快捷交通科技有限责任公司提出了洛杉矶空中快捷交通计划，希望在洛杉矶市中心建设一套零排放的空中快捷交通索道系统，由此将洛杉矶联合车站与道奇体育场的场馆连接起来，途中在洛杉矶州立历史公园设置站点。洛杉矶县都会交通管理局（Metro）是加州环境质量法（CEQA）规定的领导机构。Metro起草了一份《环境影响报告草案》（DEIR），用以评估这一拟议计划将会带来的潜在环境影响。

今日，都会交通管理局宣布，继2023年1月12日的公众听证会之后，将于2023年2月8日通过Zoom再举办一场后续的线上公众听证会。之所以会提供这次后续公众听证会，是因为认识到某些与会者的干扰或许致使感兴趣的公众成员未能在2023年1月12日的线下公众听证会上提供自己的证言。举办这一后续公众听证会的目标仅为收集公

众对于拟议计划的环境影响报告草案的口头证言。本次后续公众听证会上所收集的口头评论将被认定为环境影响报告草案公示期内收到的有效意见，即便公示期已经于2023年1月17日结束。

**Zoom 线上后续公众听证会：**

**2023 年2月8日；5pm至7pm**

Zoom 链接: <https://us06web.zoom.us/j/85673432272>

网络研讨会ID: 856 7343 2272

电话参与: (669) 900-6833

免费电话参与: (888) 475-4499

先前在2022年12月10日、2022年12月13日及2023年1月12日举办的公众听证会的资料，可以在这里获取：[https://www.dropbox.com/sh/trfpt09to0kp4a8/AAAWMSsj-qJWnORBp9kkK056a/Documents?dl=0&subfolder\\_nav\\_tracking=1](https://www.dropbox.com/sh/trfpt09to0kp4a8/AAAWMSsj-qJWnORBp9kkK056a/Documents?dl=0&subfolder_nav_tracking=1)

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### **洛杉磯空中捷運系統（LA ART）：Metro 將舉辦延續公聽會**

LA Aerial Rapid Transit Technologies LLC正在提議洛杉磯空中捷運項目，該項目計畫於市中心建立零排放空中快速纜車系統，連接洛杉磯聯合車站（Los Angeles Union Station）和道奇體育場（Dodger Stadium），並於洛杉磯州立歷史公園（Los Angeles State Historic Park）設立中轉站。洛杉磯郡都會運輸局（Metro）為《加州環境質量法案》（CEQA）的主導機構，已準備了一份環境影響報告草案（DIER），以評估該項目對環境可能造成之潛在影響。

Metro 今日宣布延續 2023 年 1 月 12 日的公聽會，將通過 Zoom 於 2023 年 2 月 8 日舉行延續的線上公聽會。本延續公聽會為有興趣參與但由於部分參加者干擾而無法參與 2023 年 1 月 12 日公聽會之公眾，能夠親自提出其意見證供。本延續公聽會的唯一目的為聽取關於擬議項目之環境衝擊報告草案的口頭公開證供。在本次延續公聽會中所蒐集之口頭意見將被視為於 2023 年 1 月 17 日的環境衝擊報告草案公眾意見徵詢期間所及時收到之意見。

**Zoom 線上延續公聽會：**

**2023 年 2 月 8 日；下午5點至晚上7點**

Zoom 連結: <https://us06web.zoom.us/j/85673432272>

網上會議登入碼: 856 7343 2272

即時交談電話號碼: (669) 900-6833

即時交談免付費電話號碼: (888) 475-4499

2022 年 12 月 10 日、2022 年 12 月 13 日和 2023 年 1 月 12 日公聽會的資料可於以下網址讀取：[https://www.dropbox.com/sh/trfpt09to0kp4a8/AAAWMSsj-qJWnORBp9kkK056a/Documents?dl=0&subfolder\\_nav\\_tracking=1](https://www.dropbox.com/sh/trfpt09to0kp4a8/AAAWMSsj-qJWnORBp9kkK056a/Documents?dl=0&subfolder_nav_tracking=1)

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For more information please visit [www.metro.net/aerialrapidtransit](http://www.metro.net/aerialrapidtransit)



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This email was sent to [kmacias@bos.lacounty.gov](mailto:kmacias@bos.lacounty.gov)

**From:** Zab Steenwyk <info@email.actionnetwork.org>  
**Sent:** 02/01/2022, 4:18 PM  
**To:** [LAART@metro.net](mailto:LAART@metro.net)  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

I am writing to voice my opposition to the Los Angeles Aerial Rapid Transit Project ("The Gondola" at Dodger Stadium).

Let me start by saying I am a resident who lives in an apartment building across from LA State Historic Park and one of the reasons we chose the neighborhood was the proximity to public transportation. I take Metrolink trains from Union Station to work, my husband bikes to his work downtown and we've jumped on the Metro lines to get around more than once. We are BIG supporters of more public transportation in the city.

P738-1

So when I saw the Stop the Gondola billboards, I was a little confused. More public transportation? What wasn't to like? It was only after investigating the positive and negative impacts that the gondola was projected to have as reported in the Environmental Impact Report (led by LSCMTA) that I realized the negatives far outweigh the positives.

P738-2

First of all, the budget is exorbitant for an extremely limited service route. As a train user, I've seen Union Station on game days and know that it's not THE main artery that fans are using to get to Chinatown/Echo Park. Rather that budget could be put towards adding additional free game-day shuttles from the neighborhoods surrounding Elysian (like Silver Lake, Los Feliz, Koreatown, Downtown, Lincoln Heights and more) which would allow exponentially more residents safe, sustainable and easy transport to the stadium.

P738-3

As a nearby resident, I also know that there are only 81 home games per season - 25% of the year. My husband and I walk in the park nearly every day. The open views and beautiful landscaping and trees are a welcome respite from our otherwise busy city. We love the hill near the entrance where dog owners gather - it makes it feel like a community and fosters interactions between neighbors. Our favorite view is when we turn around at the end of the park and downtown is perfectly framed. The scale of these gondola towers, the proximity of the cabins to the ground, and the eyesore of the building would ruin the solace we and many others find in the park. It's not worth ruining 100% of the days in the park for a few rush hours on the 25% of days where a game is being played.

P738-4

The estimated emissions saved by the gondola are minimal and can not begin to compare to the emissions saved offering free or low-cost shuttles - LARGELY due to the fact most fans would still have to drive to the stations since there will be so few. This neighborhood is already burdened by emissions from being surrounded by highways in all directions. There are real ways to reduce this and I'd like to see our public officials champion those kinds of real changes - not be resistant to public comment like this process has been.

P738-5

Again - I'm a big public transportation fan. But there are infinitely better ways of achieving this than the Gondola and I hope you will explore them instead of burdening this community with a developer's misguided project.

P738-6

Sincerely,  
Zab Steenwyk

Zab Steenwyk

Los Angeles, California 90012

**From:** Robert COLE <info@email.actionnetwork.org>

**Sent:** 02/07/2022, 5:31 PM

**To:** [LAART@metro.net](mailto:LAART@metro.net)

**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

I am writing to voice my opposition to the Los Angeles Aerial Rapid Transit Project ("The Gondola" at Dodger Stadium). This project will negatively impact the local community. There has not been any consideration on the local residents in the area. The community does not want this gondola flying over it all day and night. Take the bus!

P739-1

Robert COLE

[REDACTED]

[REDACTED]

LOS ANGELES, California 90012

**From:** Mara Fisher [REDACTED]  
**Sent:** 1/31/2023 11:28:51 PM  
**To:** laart@metro.net  
**Subject:** Environmental Review + Los Angeles Aerial Rapid Transit Project (LA ART)

Dear Mr. Zelmer,

I'm writing in support of the Los Angeles Conservancy's comments calling for an environmental review of LA ART led by the City of LA and also in opposing this project.

Please find the Conservancy's full comments here.

Thank you for your time.

Regards,

Mara Fisher  
District 1, Los Angeles, CA

—  
Mara Fisher

[REDACTED]

P740-1

Hi! I don't know if this is the right phone number, but my name is Sara Clendening, President of Lincoln Heights Neighborhood Council, speaking as an individual in reference to the Gondola project. And I guess this will be my public comment for the record, and that our community, Lincoln Heights, is opposed to the Gondola, as is the historic community of Dogtown, and Solano, and Chinatown. The public private partnership on, you know, public property, that was given away to a corporation—which, that issue was never... we've never seen justice from that—with the three communities of La Loma, Palo Verde and Bishop, getting their land taken, right? Dodgers shouldn't, shouldn't... you know, we can't move forward with the Gondola until, like, that has been dealt with, right? Like, in the terms of, like, land back or reparations, and justice for our community. Now, the Gondola thing. Yeah, no. It can't go anywhere. Taxpayer money should not be going to benefit an evil corporation that, you know, basically destroyed a mountainside with the help of this city, and eradicated the communities. And that is that. And we are absolutely opposed to this Gondola.

P741-1

Although, we do appreciate the EIR that metro did with the archeological stuff. Good work on that. But yeah, there's no way that you guys should be working with the Dodgers on this. Right. Bye.

P741-2

P741-3

Hey, hello my name is Dennis Rohatyn. I'm interested in the aerial rapid transit project, the so-called Gondola, and I plan to attend the Zoom meeting in a few days. And I'm looking over the report, and the only thing I don't see is the height at which the Gondola is going to fly, or the arch, the trajectory, and what the maximum height will be. Nothing in the description tells me that. I'm wondering if you know that, or can refer me to someone who does, or if there is a diagram or something of that sort that will let me know what that altitude will be for some, if not most, of the 7-minute flight. My name again is Dennis Rohatyn, R-O-H-A-T-Y-N. My number is [REDACTED] and if it's more convenient, you can always send me an email [REDACTED] [REDACTED] [REDACTED]. Thank you so much for your time and help! Bye, bye.

P742-1



**Chatten-Brown, Carstens & Minter LLP**

Hermosa Beach Office  
Phone: (310) 798-2400

[Redacted]  
Hermosa Beach, CA 90254  
www.cbcearthlaw.com

Douglas P. Carstens  
Email Address:  
[Redacted]

February 7, 2023

*By Email*

Mr. Cory Zelmer  
Deputy Executive Officer  
One Gateway Plaza, Mail  
Stop MS: 99-22-6  
Los Angeles, CA 90012  
Email: LAART@metro.net

Re: Written materials submitted in support of public testimony on the Draft Environmental Impact Report for the Los Angeles Aerial Rapid Transit Project, SCH No. 2020100007; Information Regarding Zero Emission Electric Buses for Use with Transportation System Management Alternative And Alternative Design of Towers on Alameda Street; Request for DEIR Recirculation

Dear Mr. Zelmer:

On behalf of The California Endowment (“TCE”) and pursuant to the continuation of public comment through the February 8, 2023 public hearing scheduled by Metro, on the Draft Environmental Impact Report (“DEIR”) prepared for the Gondola project (“Project”) proposed by Los Angeles Aerial Rapid Transit (“ARTT”), we respectfully submit the attached material and supplemental comments as our written testimony for this public hearing.

P743-1

This material underscores the feasibility and reasonableness of choosing the environmentally superior, no-emission alternative, with electric buses operated by Metro. The DEIR claims the Transportation System Management (“TSM”) alternative “would generate new emissions as there would be additional Union Station DSE (Dodger Stadium Express) bus service on the existing route.” (DEIR, p. 4-65.) However, if the DSE buses were all electric, there would be no emissions at all- zero emissions.

P743-2

The DEIR fails to mention that Metro has received a \$104 million grant for zero emission electric buses as was reported on August 19, 2022

P743-3

(Enclosure 1) and has committed to having an all-electric bus fleet by 2030 (Enclosure 4). Therefore, claiming the TSM alternative would increase emissions is misleading and fails to present Metro's own plan for zero-emission buses.

cont'd  
P743-3

This is a substantial and fatal flaw in the current DEIR analysis. It falsely portrays Mr. McCourt's Gondola Project as superior to a low- or no-emission option. Such conclusion in the DEIR is not supported by substantial evidence and creates an erroneous comparison to zero-emission buses. The DEIR should be re-written and recirculated as required by law to provide an accurate and thorough analysis based on substantial evidence of the TSM Alternative.

P743-4

Additionally, construction of towers on Alameda Street on public land for Mr. McCourt's private project will be problematic when those parcels are better used for public-serving purposes such as affordable housing with supportive tenant services. Prior to the publication of the DEIR, the City, which is a responsible agency, designated these parcels for desperately needed housing and entered into negotiations to allow for the construction of affordable residential units to house vulnerable populations.<sup>1</sup> The DEIR fails to inform the public of this conflict with City of Los Angeles policies and plans and fails analyze how this impact is to be mitigated.

P743-5

While the DEIR discusses Option B- a design option (not an alternative) which would eliminate the Alpine Tower but require the Alameda Tower to be taller, it states Option B has "potential technical constraints due to the taller tower that approaches the limits of technical feasibility due to increase angle of bend at the Alameda Tower." (DEIR, p. 6-20.) In other words- a fair inference from this is that a taller version of the Alameda tower approaches the limits of safety- and so would be even less safe than the current design. The DEIR does not explain what "the limits of technical feasibility" are or what it means that a taller tower "approaches" those limits. What are these limits, and what does it mean for the taller tower to approach them? What impact may this likely riskier option have on the communities below the tower?

P743-6

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<sup>1</sup> The City of Los Angeles' Chief Administrative Officer's Comment letter dated January 17, 2023 stated "The plan for these sites includes [] transitional housing and affordable housing with supportive services, and a community center. Because of these facts, the City does not intend to divest itself of these parcels for any use besides providing affordable housing."

CEQA mandates disclosure of this technical evidence and is necessary to allow for informed public participation regarding the merits of the project and its alternatives. As the attached correspondence from the City indicates, the construction of the Alpine Tower is infeasible and should never have been considered given the timing of negotiations that precede the publication of the DEIR. (See Enclosure 5.) Option A was never a viable approach to construction and other options should have been analyzed instead.

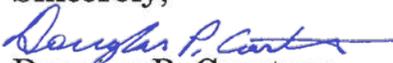
P743-7

Furthermore, a single tower design is both a visual blight and a structural danger given the weight involved and the fact that it crosses two points of a Metro railway line. In the event of an earthquake, as Southern California is prone to and as the recent very large one in the Turkey-Syria border region demonstrates, there is a risk that the entire structure could collapse leading to mass casualty and destruction. (See <https://www.latimes.com/california/story/2023-02-06/earthquake-like-turkeys-would-devastate-southern-california>.) Who will be responsible for addressing and mitigating this risk?

P743-8

The many failures presented above render the DEIR inadequate and indefensible. It cannot be presented for consideration by the Metro Board. At minimum, the entire process should be corrected, the appropriate lead agency identified, a thorough and not misleading analysis of the Project and its impacts provided, and the entire process started over with a sufficiently informative DEIR. Thank you for your consideration of these materials in support of our public testimony.

P743-9

Sincerely,  
  
Douglas P. Carstens

Enclosures:

1. USDOT awards \$104 Million to Metro for 160 zero emission electric buses.
2. LA Metro Now [2021] Running all Zero-Emission Electric Buses on the G (Orange) Line in the San Fernando Valley.
3. Metro Motion approving acquisition of Zero Emission (ZE) transit buses.
4. Why Won't Metro Promote Its New Electric Buses?
5. Letter of City of Los Angeles Chief Administrative Officer dated January 17, 2023.

**ENCLOSURE 1**

# USDOT awards \$104 million to Metro for 160 zero emission electric buses

BY LA METRO , AUGUST 19, 2022

Metro has received a \$104-million federal grant for the purchase and deployment of 160 battery-electric buses as well as for the procurement and installation of en-route and depot charging stations. Above is a video from the city of L.A.'s Channel 35 on the news.

Electric buses are cleaner and quieter than buses that run on compressed natural gas. They help Metro fulfill its goal of improving air quality in our region and producing fewer greenhouse gases that are responsible for climate change.

The grant will enable Metro to support the transition to zero emission bus service on routes operating out of Metro's Divisions 9 (El Monte) and 18 (Carson) including the J Line (Silver). The grant also funds related workforce development and training activities.

The grant, announced earlier this week by the U.S. Department of Transportation, is via a national competitive process from the Federal Transit Administration's Low or No Emission Grant Program.

The Metro Board of Directors has approved a goal of converting Metro's bus fleet to zero emission by 2030 — well ahead of the state deadline of 2040 for transit agencies. The G Line (Orange) already has an entire fleet of electric buses.

## QUOTES

“Metro is thankful to U.S. Transportation Secretary Pete Buttigieg and his talented team at the Federal Transit Administration for issuing a \$104 million Low or No Emission Grant for our agency,” said Glendale City Councilmember and Metro Board Chair Ara J. Najarian. “This grant for Metro's Zero Emission Bus and Infrastructure Deployment Project will help bring our agency closer to having a fully electric bus fleet in the coming decade. On behalf of our Board of Directors, I want to personally thank the Biden Administration, the U.S. Department of Transportation — and of course — our Los Angeles County Congressional Delegation for supporting Metro's successful effort to secure these valuable federal funds.”

“The J Line, aka the Silver Line, is a vital link for our regional economy, but residents of Wilmington and San Pedro should never have to pay a price for it with their health,” said Los Angeles County Supervisor and Metro Board 2nd Vice Chair Janice Hahn. “We need to fight air pollution in our communities with all the tools and technologies available, and with this switch to a fully electrified J Line, we’re accomplishing that.”

“As we navigate rising temperatures, longer and more severe droughts, and a myriad of other consequences of human-made climate change, let’s not forget our commitment to future generations,” said Los Angeles Mayor Eric Garcetti. “Through electrifying our transportation system we have so much ground to gain in the fight against climate change — cleaner air, lower emissions, and healthier communities. This historic investment brings us another step closer to meeting our goals and furthers our fight against climate change.”

“We are appreciative of the strong support from the federal government in Metro’s commitment to convert its entire fleet of buses to zero-emission electric buses,” said Metro Board Member and Los Angeles County Supervisor Hilda L. Solis. “These federal grant funds will also be used for workforce training for the operation and maintenance of our growing zero-emission bus fleet – which is vitally important in providing good jobs for those that need them the most.”

“Metro’s partnership with the U.S. Department of Transportation has never been stronger,” said Metro CEO Stephanie N. Wiggins. “This grant will strengthen our agency’s efforts to provide clean, dependable zero emission bus service to millions of transit riders. Thank you to Transportation Secretary Pete Buttigieg, FTA Administrator Nuria Fernandez, members of the Los Angeles County Congressional Delegation, and the Metro Board of Directors for supporting this grant request. I cant wait to get these new buses on the road!”

**SHARE THE SOURCE:**

**ENCLOSURE 2**

# L.A. Metro Now Running all Zero-Emission Electric Buses on the G (Orange) Line in the San Fernando Valley

- Dave Sotero
- October 13, 2021

In a major clean air milestone for the Los Angeles region, the Los Angeles County Metropolitan Transportation Authority (Metro) announces the successful completion of its transition to an all-electric bus fleet on the popular Metro G (Orange) Line in the San Fernando Valley, offering Metro customers a non-polluting, quiet and ultra-smooth riding experience.

Metro has phased out its legacy 60-foot articulated compressed natural gas (CNG) buses on the G Line — the type that has run on the dedicated Bus Rapid Transit line since it opened in October 2005 — and replaced them with 40 brand new, 60-foot articulated zero-emissions buses manufactured by New Flyer. Called Excelsior Charge NG, the buses feature zero-tailpipe emissions, employ advanced electric technologies such as high-energy batteries and traction propulsion system. Rapid en-route chargers installed at North Hollywood, Canoga and Chatsworth Stations give the buses an all-day operating capability along the 18-mile corridor. Buses have about a 150-mile range on a single charge even without rapid charging.

The new electric buses contribute to Metro's equity goals to help reduce disparities in access to opportunity, including health outcomes, in key communities along the bus corridor. Of the G Line's 36 stops, for example, 20 (or 55 percent) are directly located in or adjacent to Equity Focus Communities across North Hollywood, Valley Village, Van Nuys, Lake Balboa, Reseda, and Canoga Park.

Metro first began converting its bus fleet to electric buses in July 2020. Since completing its transition from CNG to electricity earlier this year, Metro has officially logged an impressive 900,000 miles on the electric buses.

“Metro is officially on the road to a zero-emissions future with its first official use of electric buses on a major Bus Rapid Transit Line,” said Metro Board Chair and Chair of the L.A. County Supervisors Hilda L. Solis. “This marks the beginning of Metro's commitment and long-term investment in a healthier, more equitable and sustainable bus fleet for Los Angeles County,

one that helps our region reduce its greenhouse gas emissions at the tailpipe while greatly improving the customer experience.”

“The 2020s will be defined as the decade for climate action,” said L.A. City Mayor and Metro Board member Eric Garcetti. “Now, more than ever, bold and ambitious policies are needed to tackle climate change. Metro’s transition to electric buses on the G Line is a perfect example of a bold policy made real. We have proven that these next-generation buses are fully capable of meeting this popular bus line’s daily service needs.”

Valley bus customers as well as residents living next to the G Line will enjoy the buses’ quiet operation. The buses are whisper-quiet because they do not need fans CNG buses require to keep their engines cool. Buses contain active suspension that ensures a smooth ride for passengers. Buses also employ dual electrically driven air conditioning units, a particularly good cooling feature for customers during hot summer days in the Valley. Customers can charge their portable devices using USB ports imbedded in the bus seats. The buses boast public Wi-Fi access to better connect Metro bus customers on the go. Lastly, the buses also feature two drive axles for better acceleration and employ regenerative braking to recapture energy.

“Five years ago, the Metro Board supported my motion for a plan to use electric buses on the Orange Line,” said Los Angeles City Councilmember and Metro Board Member Paul Krekorian. “At that time, there were still many questions about the feasibility of electrification of the fleet. The success of the transformation of the Orange Line has answered those questions. This important moment in the history of Metro brings us that much closer to achieving our goal of a 100 percent zero emissions fleet by 2030.”

Metro’s electric buses cost \$1.15 million each. The project includes the deployment of the electric buses and associated charging equipment and infrastructure improvements. The total cost of buses, equipment and improvements is \$80 million.

Metro is now planning to utilize electric buses on the J line (Silver) that operates between San Pedro and El Monte via the Harbor Gateway Transit Center. The agency is now working closely with Caltrans, Los Angeles Department of Water and Power and Southern California Edison on charging designs along the J Line corridor. The ultimate conversion of the J Line to electric buses is anticipated to be completed in approximately two years.

“Today we are working tirelessly to create a more environmentally sustainable, equitable and resilient public transportation system for all our customers,” said Metro CEO

Stephanie N. Wiggins. “Our zero-emission bus goals are an important part of our overall strategy to reduce our agency’s carbon footprint and become carbon neutral. We continue as a transit leader in our march towards a more sustainable and resilient transportation system that will benefit our customers, our industry and our planet.”

Metro has ambitious plans to transition from a CNG to zero-emissions bus fleet in the years ahead. In 2017, the Metro Board unanimously adopted a motion endorsing a comprehensive plan to transition the agency to a 100 percent zero emission bus fleet by 2030. The agency currently operates approximately 2,300 CNG buses. Metro is the largest American transportation agency to pursue such a goal. The plan is contingent on continuous advancements in electric bus technology – which includes an increase in range, reduction of charging times and extension of battery life cycles – and a drop in price as the technology develops.

Overall, Metro also has strong environmental sustainability commitments. The agency plans to displace over 780,000 metric tons of Carbon Dioxide Equivalent in L.A. County by 2050 through an ambitious suite of sustainability initiatives envisioned in its 10-year Sustainability Strategic Plan, [Moving Beyond Sustainability](#).

For more information on Metro’s environmental initiatives, please visit [www.metro.net/sustainability](http://www.metro.net/sustainability).

**Editor’s Note:** Metro Operators are crucial to keeping LA moving. Metro is currently hiring more than 500 bus operators and is offering a \$1,000 bonus for coming aboard. This is a great career opportunity. Metro offers competitive hourly rates starting at \$17.75 for part-time bus operators and benefits include health insurance, tuition reimbursements, paid training, retirement plan options and part-time flexible hours. Please encourage friends, family and community members to become a part of the Metro team that provides excellence in service and support and keeps our region moving. Apply at [metro.net/driveLA](http://metro.net/driveLA).

**ENCLOSURE 3**



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Details Reports

File #: 2017-0304

Type: Contract

Status: Passed

File created: 5/1/2017

In control: [System Safety, Security and Operations Committee](#)

On agenda: 7/20/2017

Final action: 7/27/2017

Title:

CONSIDER: A. AUTHORIZING the Chief Executive Officer (CEO) to award a firm fixed-price contract, Contract No. OP28367-002, Group C, to BYD Coach & Bus, LLC (BYD) for the manufacture and delivery of sixty 40' zero emission (ZE) transit buses, in the amount of \$44,967,874 for the base contract, including spare parts, charging equipment, taxes and delivery; exclusive of any contract option buses, subject to resolution of any properly submitted protest. B. AUTHORIZING the CEO to award an additional not-to-exceed amount of \$2,806,849 for Optional Vehicle Features, and Training Aids for a total combined contract amount not-to-exceed \$47,774,723. C. ESTABLISHING a life-of-project budget of \$65,900,000 for the purchase of sixty 40' zero emission buses, charging equipment, installation costs, infrastructure upgrades, and contingency under Capital Project no. 201077.

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Attachments:

1. [Attachment A - Procurement Summary](#), 2. [Attachment B - DEOD Summary](#), 3. [Attachment C - Funding and Expenditure Plan](#)

Related files:

[2017-0810](#)

History (1) Text

1 record	Group	Export
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Date	Action By	Action	Result	Action Details	Meeting Details	Audio
7/27/2017	Board of Directors - Regular Board Meeting			Not available	<a href="#">Meeting details</a>	Not available

**ENCLOSURE 4**

# STREETSBLG

## Why Won't Metro Promote Its New Electric Buses?

Read to the bottom for an exciting contest!

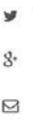
By Joe Linton | Sep 9, 2020 | 5 COMMENTS



Metro New Flyer Electric bus charging in North Hollywood. All photos by Joe Linton/Streetsblog L.A.

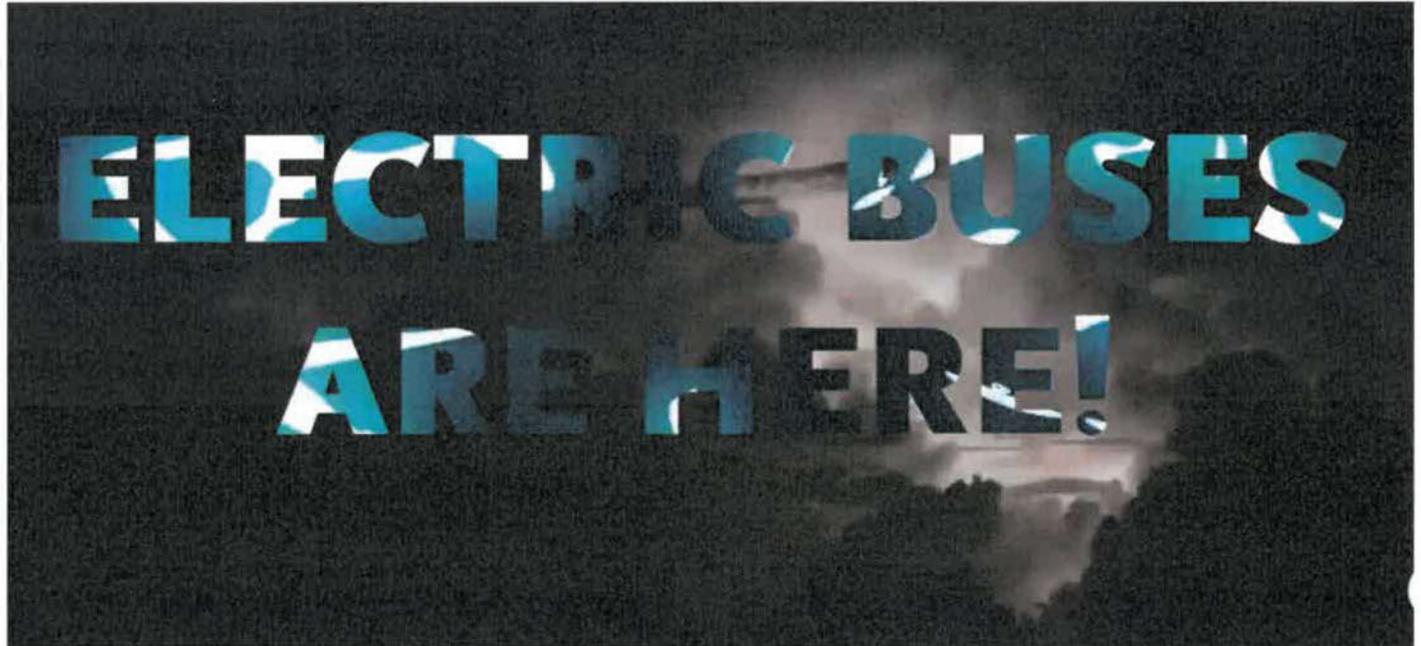
In 2017, Metro approved plans for a [fully electric bus fleet by 2030](#). That upgrade was planned to be well underway with the full Metro G Line (Orange) Bus Rapid Transit fleet all battery-electric by June 2020, but [the date slipped](#). The [first electric bus debuted on the G Line in late July](#). Full G Line electrification is now scheduled for December 2020.

Electric vehicles are pretty nice. They have no tailpipe pollution. Compared with fossil fuel (compressed natural gas CNG or diesel) buses, electric buses are so much nicer to ride and to be around. They are powerful, efficient, very quiet, much less polluting including greatly reduced greenhouse gas emissions, and cheaper to operate and maintain.



One would think Metro would be pretty excited about those new electric buses, right?

Metro did produce [one video](#) proclaiming “ELECTRIC BUSES ARE HERE.”



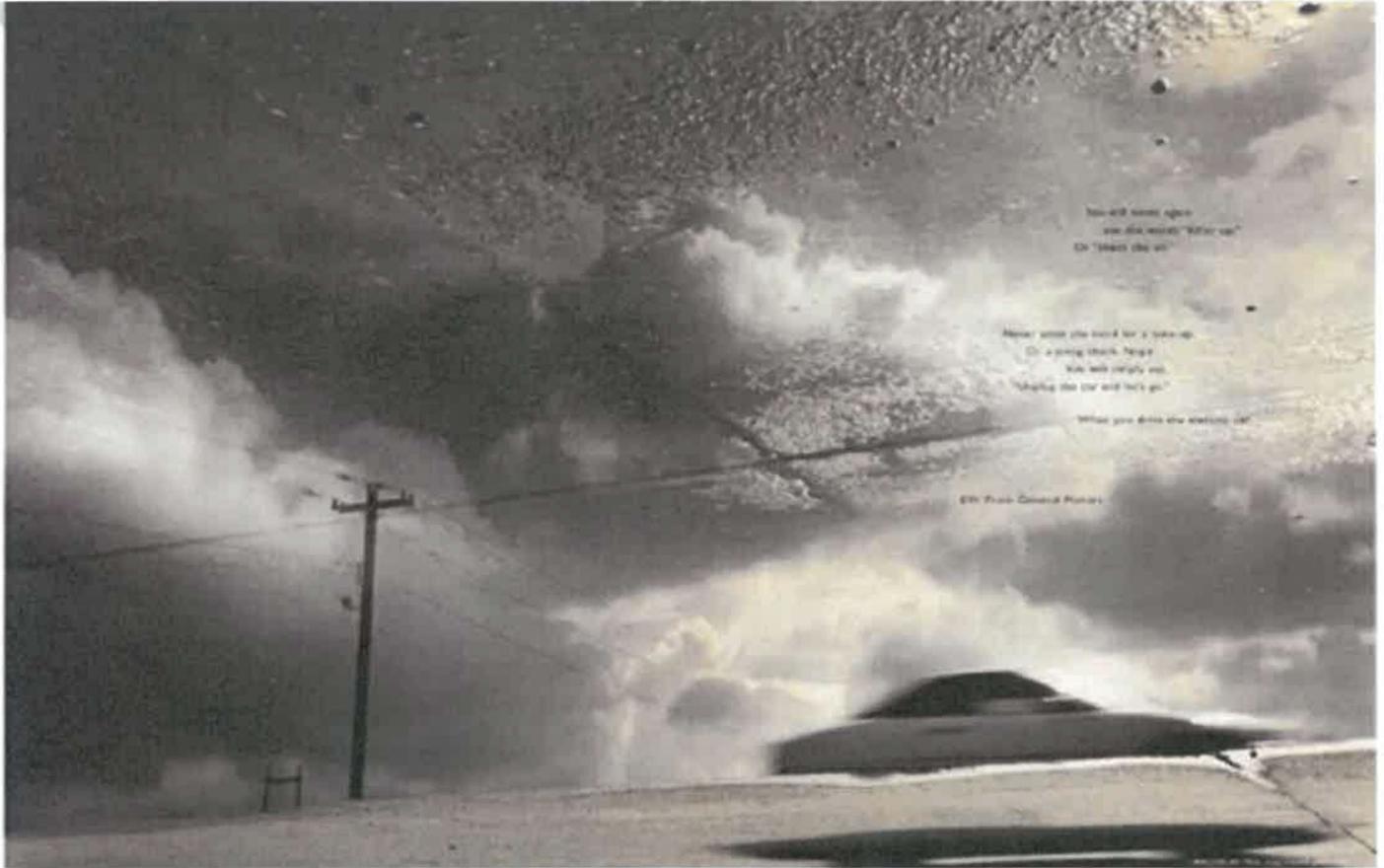
Nothing saves clean electric power like... foreboding black clouds. From Metro electric bus video



The cleaner greener dark foreboding future Angelenos are excited about. From Metro electric bus video

The Metro electric bus video is full of dark clouds – because that’s something everyone associates with clean electric power, right?

(The dark clouds are kind of reminiscent of those awful bleak 1990s EV-1 electric car ads. Paradisiacal green imagery seems to be reserved for [astroturf ads](#) for [fossil fuel cars](#).)



Those dark clouds didn't work too well for EV-1 electric car ads back in the 1990s either.

Maybe somebody, probably an intern, didn't quite get the messaging right in that Metro video.

What about the buses themselves?

Metro – with its award-winning marketing department – can improve on what L.A. City Transportation Department electric DASH buses and Foothill Transit electric buses have done.



A 2017 LADOT DASH electric shuttle bus design – pretty hard to miss that this is an electric vehicle



A 2013 Foothill Transit electric bus with its telltale green-blue splash. From [YouTube](#)

Metro loves big banners.

Whenever Metro sneezes there are big banners years or months in advance proclaiming “MORE SNEEZES ON THE WAY.”

Metro buses have promotions about “the nation’s largest clean-air fleet,” APTA awards, all-door boarding, etc. Surely, the electric buses themselves are slathered with feel-good messages about electricity and clean air and apple pie and general Metro wonderfulness.

No?



A sexy new Metro electric bus at North Hollywood station – with all kinds of electric vehicle promotions, no?

It's actually hard to spot the electric buses. Like all the all the other CNG-powered buses on the F Line, they're gray silver. There are a couple of markings that tell the casual observer that it is indeed electric. Can you spot one?



On the driver side near the back, Metro subtly proclaims "Electric" in all-white on gray – with overlapping vesica piscis shapes



Near the front door, white-on-gray lettering quietly states "Electric" plus there are small green USB and Wi-Fi stickers (because USB and Wi-Fi are green – and Electric is... gray?)

Can you tell the difference between Metro's clean green electric bus – and its more common fossil fuel buses?



A Metro CNG bus (with ads placed where those missable “Electric” decals are on the electric version)



Spotters can identify CNG buses by this decal near the rear of the bus

The differences are somewhat hard to tell from photos. The electric buses are a little less colorful, because they haven't been covered with ads yet. Generally the quickest way to know up close is that the CNG buses are much louder – inside and outside – compared to the electric buses.

Why doesn't Metro have highly identifiable branding for their electric buses?

Part of the problem appears to be resistance from Metro operations leadership. As they did in the 1990s when Metro transitioned from diesel to compressed natural gas, operations are pushing to stick with what they are used to. When Metro faces funding questions, whether [for project acceleration](#) or [from](#)

[COVID recession revenue losses](#), operations leadership are quick to encourage the Metro board to jettison the approved 2030 electrification schedule. [That schedule](#) hinges on a 2019-2020 technology assessment that culminates in a now-postponed [Spring 2020 Zero Emission Bus Master Plan update that includes procuring new electric buses](#). If operations leadership can wait out the clock on that, then maybe Metro will just buy more fossil fuel buses.

Operations' concerns are not entirely unfounded. Though the benefits outweigh the costs, battery-electric buses are a fairly new technology, not widely adopted.

One electric bus manufacturer – [BYD](#) – [has often over-promised and under-performed](#). (BYD is manufacturing buses for Metro's second BRT electric bus pilot – the J Line [Silver] which is scheduled to be fully-electric by June 2021, assuming Metro sticks to its electrification schedule. BYD also supplies the DASH electric buses, pictured above.)

Other manufacturers – New Flyer and Proterra – have not had those issues. Metro's G Line buses are New Flyer. (Proterra supplies Foothill Transit electric buses, pictured above.)

Streetsblog is excited about the nice quiet New Flyer bus already running on the G Line. So excited that SBLA is announcing a contest for our readers.

How do you think Metro should be marketing its clean green electric bus fleet? Submit your designs via the comments below. Submit a promotional image, a promotional slogan, a video, or a design that Metro could affix to the outside of its electric buses. Designs can be polished or rough sketch concepts; they can be serious, or sarcastic/humorous. Submit your entry by September 30. Streetsblog editors will review all submissions, and select a winner in early October. One lucky winner will receive a signed copy of SBLA editor Joe Linton's [Down by the Los Angeles River](#) guide book to walking, bicycling, and historic sites on the L.A. River and its tributaries.

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Filed Under: [BRT](#), [buses](#), [G \(Orange\) Line](#), [Metro](#), [The Valley](#), [Promoted](#)

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Half of Americans Will Get Vision Zero Plans in New Federal Grant

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**ENCLOSURE 5**

CITY OF LOS ANGELES

CALIFORNIA



KAREN BASS  
MAYOR

MATTHEW W. SZABO  
CITY ADMINISTRATIVE OFFICER

ASSISTANT  
CITY ADMINISTRATIVE OFFICERS

PATRICIA J. HUBER  
MALAKA BILLUPS  
BEN CEJA  
YOLANDA CHAVEZ  
EDWIN GIPSON II

RECEIVED  
JAN 31 2023

Via Email and U.S. Mail  
LAART@metro.net

January 17, 2023

Cory Zelmer  
Deputy Executive Officer  
Los Angeles County Metropolitan Transportation Authority (METRO)  
One Gateway Plaza, Mail Stop 99-22-6  
Los Angeles, CA 90012

RE: Aerial Rapid Transit Project DEIR Comment

Dear Mr. Zelmer:

I am writing to comment on the Draft Environmental Impact Report (DEIR) that Metro released on the Aerial Rapid Transit Project. Specially, I am informing Metro that the properties at 901 and 903 North Main Street, Los Angeles, California, 90012 (Assessor's Parcel Number [APN] 5408-008-909) are owned by the City of Los Angeles (City) and were approved for mixed use development -- affordable housing and services -- by the Mayor and City Council in August 2019 (Council File Number: 18-0930).

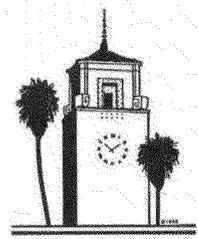
The Los Angeles Housing Department currently has an Exclusive Negotiation Agreement (ENA) with Friends of Homeboy, LLC, for these properties and expects to execute the Development and Disposition Agreement no later than June 2023. The plan for these sites includes, transitional housing and affordable housing with supportive services, and a community center. Because of these facts, the City does not intend to divest itself of these parcels for any use besides providing affordable housing.

Thank you for your immediate attention to this matter. If you require additional information, please contact Assistant City Administrative Officer, Yolanda Chavez, at [REDACTED] or [REDACTED]

Sincerely,

MATTHEW W. SZABO  
City Administrative Officer

cc: Mayor Karen Bass  
Councilmember Eunisses Hernandez, District 1  
Los Angeles Housing Department



LOS ANGELES UNION STATION HISTORICAL SOCIETY

[Redacted address information]

February 8, 2023

Cory Zelmer,  
Deputy Supervisor  
LA Metro  
1 Gateway Plaza  
Los Angeles, CA 90012

Ref: Additional and Updated Comments *opposing* LAART "Gondola" DEIR For Feb. 8<sup>th</sup> Meeting.

Dear Mr. Zelmer,

Given today's Zoom meeting for comments concerning LAART's "Gondola" DEIR the Board of Directors of the Los Angeles Union Station Historical Society (LAUSHS Board) has directed me to send the followings additional and updated comments **opposing** the LAART "Gondola" DEIR.

P744-1

The LAUSHS Board opposes the "Frank McCourt/LAART/Climate Resolve Gondola" (LAART) private, for profit cable car and real estate development scheme that proposes to link Union Station and Metro's supporting "Esplanade-Forecourt-Fountain" project with Dodger Stadium, because it is contrary to Metro's public duty being a **unique special favor for LAART**. Our Board believes that LAART's proposed futuristic/carnival-like Union Station Alameda Street Terminal and Metro's supporting "Esplanade-Forecourt-Fountain" project will **blight the viewscape** of the historic and architecturally significant West Facade of Union Station and the greenscape and skyscape of Los Angeles State Historic Park.

P744-2  
P744-3

Moreover, Union Station, its trains and patrons could be physically harmed if aircraft from the nearby Los Angeles Police Department's "Hooper Memorial Heliport" airport were to be entangled in LAART's overhead cables and 13+ story support towers. Furthermore, the LAUSHS Board opposes Metro's planned **removal of all "Disabled Parking"** from the "Esplanade-Forecourt-Fountain" area, without public hearings and reasonable alternatives, to accommodate a new, large **"water feature"** (a misting water fountain) which would cool LAART patrons cued-up for their cable car rides to Dodger Stadium. The water fountain would be **contrary to the state's water conservation policy** especially during Los Angeles current and likely permanent, record-breaking draught. (Even if the water feature recirculates, at least 10% of its water will be lost to evaporation day after day, year after year.)

P744-4  
P744-5

The LAUSHS Board had originally chosen not to take sides in the above controversial, billion-dollar real estate development scheme. However, in view of Metro's obvious pro-active role supporting LAART, a potential competitor of its efficient "Dodger Stadium Express" motor coach service, as well as planning to "gild the lily" of Union Station with its Esplanade-Forecourt-Fountain Project, done **"backstage,"** using Metro's without first consulting the public, LAUSHS Board had no choice but to take a firm stand against the various Gondola schemes.

P744-6

Among the reasons for The Board's opposition are, but not limited to:

A) Former Metro Board member, then Mayor of Los Angeles Eric Garcetti, who originally introduced the motion for Metro to assist LAART without public participation and to enlist Metro staff to "carry LAART's water" as it were, did receive, according to public records, millions of dollars in both political cash contributions and "behest" contributions from billionaire real estate and LAART developer Frank McCourt, his family and various entities which in the LAUSHS Board's opinion, is an unacceptable **conflict of interest**.

P744-7

B) In LAUSHS Board's opinion, Metro Deputy Executive Officer Cory Zelmer and/or subordinates and consultants (Zelmer, etc.) falsified an official environmental document--LAART's Draft Environmental Impact Report (DEIR)--by checking-off the DEIR box that states there is no airport within 2 miles (3520 yards) of LAART's proposed Union Station Terminal, when he had been informed repeatedly to the contrary by the LAUSHS Board. Moreover, The LAUSHS Board presented proof to Zelmer, etc. and Metro CEO Stephanie Wiggins, that the Los Angeles Police Department's "Hooper Memorial Heliport" (described as the world's busiest airport for rotary-winged aircraft (aka helicopters) is only 1/2 mile (880 yards) from LAART's proposed Union Station Terminal. Furthermore, The Board reminded Zelmer, etc. that according to the **Los Angeles Police Department, the California Department of Transportation, the California Public Utilities Commission, the Federal Aviation Administration, and the 8th U.S. Circuit Court of Appeals, all heliports are airports** officially defined as any location where flying machines are serviced. The fact that some airports serve only rotary-winged aircraft (helicopters) while others serve fixed-wing aircraft (conventional aircraft) does not change the fact that all heliports are airports in the eyes of all governing agencies and the Federal Courts. Furthermore, the argument presented by Metro that Hooper Heliport is a police facility, not a civilian facility, and therefore not subject to LAART's DEIR, is **illogical and fallacious**. It stands to reason that a helicopter that becomes entangled in LAART's cables, gondolas, and 13+story support towers and consequently crashes into Union Station, its trains, and patrons, could cause **catastrophic harm** regardless had that aircraft launched from a police facility or a public facility. Simply put, **LAART's proposed location is not safe for the Union Station community** and helicopters from Hooper Memorial Heliport airport. Please note, the *Rules and Regulations of Los Angeles Union Passenger Terminal* (LAUS's former name) has for decades stated: "**General Notice A. Safety is of the first importance in the discharge of duty.**"?

P744-8

C) Contrary to the promises made to the LAUSHS Board by CEO Stephanie Wiggins, Zelmer, etc. and LAART, **no meeting has ever been organized between them and the LAUSHS Board to discuss the difference of opinions concerning the nature of LAPD's Hooper Memorial Heliport airport and the proposed location for LAART's Union Station Terminal**. In fact, Metro forbade The LAUSHS Board's examination of the only known 3-D scale model of Union Station's location because of, in LAUSHS Board's opinion, a **deliberate subterfuge** that the model is dated and furthermore the sharing of the model with the LAUSHS Board would **unexplainably be a conflict of interest**. This "**shadow play**," the LAUSHS Board believes was performed by LA Metro and LAART to **obfuscate the issues and delay criticism** of LAART. Finally, in December 2022 Metro provided to the general public an aerial diagram of LAART's Union Station Terminal that would be in the **worst possible viewscape location--the front of Union Station's historic Hispanic-style West Facade!**

P744-9

D) In LAUSHS Board's opinion, LAART is designed to compete with Metro's "Dodger Stadium Express," a highly efficient motor coach service that could be environmentally improved if **Metro upgraded to modern, environmentally friendly, "green" electric buses** that it might funded by using a portion of the \$20,000,000 in Federal funds ear-marked for the Esplanade-Forecourt-Fountain project.

P744-10

E) Additionally, given the seasonal nature of baseball, it is also LAUSHS Board's opinion that **LAART is a "Trojan Horse" scheme** to facilitate year-around, for-profit retail and real estate development on McCourt controlled Dodger Stadium parking lots and in the adjacent community which would then be subject to "**gentrification**" forcing **the expulsion of working "ethnic minority" families** not able to afford dramatically increased rents.

P744-11

F) Metro's proposed Esplanade-Forecourt-Fountain project, according to Metro employees--who wish to remain anonymous--will be funded by so-called "**overlap money**" that was "**peeled-off**" from **Metro's defunct LINK-**

P744-12

**US project** that itself was rejected by the LAUSHS Board's and the public's opposition. Moreover, Metro has stated to LAUSHS's Executive Director, via telephone, that ultimately the Esplanade-Forecourt-Fountain project will come to fruition by a two-step process. First, all public parking including **"disabled parking"** would be **"temporarily"** closed in front of Union Station for construction vehicles without public discussion or participation and Step two—well there really won't be a step two because the parking simply will disappear permanently when the construction vehicles depart. The LAUSHS Board believes **this conspiracy** would be a **violation of the Americans with Disabilities Act (ADA)**. (A disabled motorist has already filed a formal complaint to the Federal authorities against Metro's Esplanade-Forecourt-Fountain project.) Not only would this **negatively impact the "disabled"** but also the customers of Metro's tenants the Homebound Restaurant and Brewery, TRAXX restaurant and the numerous social and artistic events that take place in the adjacent former "Ticketing Hall." Furthermore, according to a retired Metro staff person, the Esplanade's water fountain will likely attract "homeless" citizens seeking "showers" contrary to Metro's official policy of not catering to the needs of the "homeless." In LAUSHS Board's opinion, Metro's Esplanade-Forecourt-Fountain project is primarily designed to **cool future LAART and adjacent Olvera Street tourist attraction visitors during the hot baseball season**. (Note: while Olvera Street's right-of-way and some of its structures and art works are historic, the "Olvera Street tourist attraction" per se was invented in 1930 by a real estate development team who went on to develop Los Angeles' "New Chinatown tourist attraction." Ironically, Old Chinatown was demolished in a racist bid to rid Los Angeles of the Chinese who settled there after building the railroad to Los Angeles, then Union Station was built on top of Old Chinatown's rubble.)

cont'd  
P744-12

- G) Building the Esplanade-Forecourt-Fountain project's water-feature while semi-desert Los Angeles is experiencing **its worst drought yet** flies in the face of the State of California's policy to **conserve water now and the foreseeable future**. One only needs to recall the classic Los Angeles-based movie **"Chinatown"** to understand what LAUSHS Board believes is driving LAART and Metro's Esplanade-Forecourt-Fountain schemes—**the insatiable greed of billionaire land developers, Metro bureaucratic careerists and Metro's elected officials seeking evermore political contributions!**

P744-13

- H) Finally, the proposed route of Frank McCourt's "Gondola" has it trampling the edges of Los Angeles State Historic Park that was **reserved in perpetuity** for the public's enjoyment of the open landscape and skyline that once was a hallmark of Los Angeles. Consequently, one is forced to ask what part of **"in perpetuity" does Frank McCourt and Metro not understand?**

P744-14

For the above reasons, but not necessarily only because of them, the Board of Directors of the Los Angeles Union Station Historical Society has joined: The Sierra Club, the UCLA Mobility Lab, the LA Parks Alliance, the Aliso Street Historical Society and local community organizations plus others who **oppose Frank McCourt's "greenwashing" Gondola scheme**.

P744-15

Respectfully submitted,

/s/ Tom Savio

Executive Director, Los Angeles Union Station Historical Society

**From:** Sunjana Supekar [REDACTED]  
**Sent:** 2/9/2023 1:48:39 AM  
**To:** laart@metro.net  
**Subject:** Comments for February 8, 2023 LA ART Hearing

Dear Mr. Zelmer,

I intend to provide the following comments this evening during the LA Metro Gondola hearing, however, I am concerned that I will not be called on to speak before the 7pm end time. Thus, I would like to submit the following comments.

Good Evening, I am Sunjana Supekar of Chatten-Brown, Carstens and Minter and on behalf of The California Endowment we wish to express our strong opposition to this unsolicited private tourist attraction representing itself as public transportation. We oppose this project because the community did not ask for it and does not want it—the community wants real public transportation solutions.

P745-1

- The project will not reduce, but actually displace traffic, noise, and pollution from Dodger stadium to already impacted communities in and around Chinatown, disrupting businesses and services and accelerating gentrification.
- This private Gondola project will require the use of public land, air space and likely, public resources, to be able to operate.
- Finally, a superior, no emission, public transportation option already exists by using electric buses to expand the already effective free Dodger Express bus to Dodger stadium.

P745-2

P745-3

P745-4

The Draft EIR presents misleading and incomplete analysis to the detriment of the public who instead of getting information are given an infomercial. We submitted two letters detailing the DEIR's deficiencies, and we urge Metro and its staff to carefully review and consider the points raised in those letters. We are also concerned because the proposed Alameda and Alpine towers are located in an earthquake liquefaction zone.

P745-5

We close by highlighting the numerous other public comment letters from groups, individuals, and public agencies expressing concern about the Project- or opposition to it. These groups include:

- Homeboy Industries
- Gabrieleno/Tongva San Gabriel Band of Mission Indians.
- El Pueblo Park Association
- Los Angeles Parks Alliance
- California State Park Rangers Association
- Natural Resources Defense Council
- Sierra Club

P745-6

Los Angeles Union Station Historical Society

Stop the Gondola, including but not limited to Phyllis Ling

Los Angeles River State Park Partners

Coalition for a Beautiful Los Angeles

State of California/ Natural Resources Agency/ Department of Parks and Recreation \*and \*the Department of Fish and Wildlife

City of Los Angeles- City Administrative Officer

Los Angeles Conservancy

Land Protection Partners

S&R Partners, LLC, a Riboli Family Company

Trust For Public Land

Latino Outdoors

The extent and breadth of the opposition to, or concern about, this proposed Project is astounding- and should be heard. There are better solutions for Metro and the City of Los Angeles' actual public transportation needs. We ask that you stop this Gondola Project now.

Best,  
Sunjana Supekar

--

Sunjana Supekar (she/her)

CHATTEN-BROWN, CARSTENS & MINTEER

[REDACTED]

Hermosa Beach, CA 90254

[REDACTED]

[REDACTED]

[REDACTED]

Website: [www.cbcearthlaw.com](http://www.cbcearthlaw.com)

cont'd  
P745-6

**From:** Heather Donnelly [REDACTED]  
**Sent:** 02/09/2023, 7:27 PM  
**To:** [LAART@metro.net](mailto:LAART@metro.net)  
**Subject:** Public Comment: Los Angeles Aerial Rapid Transit (LA ART) Project DEIR

Deputy Executive Officer Cory Zelmer,

I am writing to voice my opposition to the Los Angeles Aerial Rapid Transit Project ("The Gondola" at Dodger Stadium).

P746-1

Not only is the project going to disrupt neighborhoods left and right, but it will also disrupt the environment which is already sickened with high amounts of pollution. Additionally, if the dodger stadiums former owner wants an aerial gondola going from union station to dodger stadium, they can pay for it themselves and pay a lot in permits and licenses to the city. We need free shuttles, better one-way connections to far away areas and more climate-friendly forms of transportation. Not a \$300 million gondola.

P746-2

Heather Donnelly  
[REDACTED]  
[REDACTED]  
Los Angeles, California 90017

**From:** Iran Carranza [REDACTED]  
**Sent:** 2/9/2023 7:56:08 PM  
**To:** "laart@metro.net" <laart@metro.net>  
**Subject:** Re: Thank you for your inquiry

Thank you. Then my official public comment is as follows:

My name is Iran Carranza, a native of Los Angeles for over 40 years and finally a homeowner in Boyle Heights as of 2020. My comment is against this proposed project. LA Metro is a public agency beholden to Angelenos and I am formally demanding that you not sell out our valuable public resources to private interests and instead put any available money and resources toward improving existing infrastructure, expanding current public transportation options for better coverage, and making it free like it was during the pandemic. If the goal truly is to get more cars off the street this is a much more effective and simpler solution. A gondola is absurd. It is not going to get Dodger fans out of their cars in the long term. I know because I am a Dodger fan and attended 10+ games last year. Those of us who already figured out how to get to union station to take the free Dodger shuttle are already doing so. It's free. The reality is that those who have not done so, are not going to be prompted to give up driving due to a gondola. Dodger traffic is a temporary problem while the money, time, and scenic resources we angelenos will have to give up for this gondola would be permanent. Those are all objective measurable facts. More subjectively, I believe the gondola would be an eyesore to our skyline. There is no other space like the land of State Historic Park and the free unobstructed space above it.

P747-1  
P747-2  
P747-3  
P747-4

On Thu, Feb 9, 2023 at 9:13 AM laart@metro.net <laart@metro.net> wrote:

> You can submit your comments using this email address.  
>  
> ----- Original Message -----  
> \*From:\* Iran Carranza [REDACTED]  
> \*Sent:\* 2/9/2023, 8:49 AM  
> \*To:\* laart@metro.net  
> \*Subject:\* Written Public Comment  
>  
> Hello,  
>  
> Where can I submit a \*written \*public comment on this project?  
>  
> Regards,  
> --Iran  
>

**Board**  
 Lauren Atencio  
 Maria Elena Barboza  
 Leslie Campisi  
 Ana Gomez  
 Arturo Gomez  
 Oscar Hernandez  
 Carey McDonald  
 Frank Mendoza  
 Christine Louise Mills  
 Carrie Sutkin  
 Jessie Tang  
 Laurie Winston

**CITY OF LOS ANGELES  
 California**



**Elysian Valley Riverside  
 Neighborhood Council**

Elysian Valley Riverside  
 Neighborhood Council  
[www.myevrnc.com](http://www.myevrnc.com)

**Executive Committee**  
 Carey McDonald, President  
 Arturo Gomez, Vice President  
 Oscar Hernandez, Treasurer  
 Ana Gomez, Secretary

August 18, 2023

Mr. Cory Zelmer, Deputy Executive Officer  
 Los Angeles County Metropolitan Transportation Authority  
 One Gateway Plaza, Mail Stop 99-22-6  
 Los Angeles, CA 90012

Dear Mr. Zelmer:

**Re: LA Aerial Rapid Transit Project: From Dodger Stadium to Union Station through Los Angeles Historic State Park, in Chinatown**

We know that the DEIR comment period has closed. However, we want to communicate with you and our new Mayor and Council members representing CD-1 and CD-13, covering immediately-impacted neighborhoods such as Chinatown, Cypress Park, Echo Park, Elysian Heights, Elysian Valley, and Historic Filipinotown, Solano Canyon, and Lincoln Heights, the reasons we oppose this project. We hope you will share this with the Metro Board of Directors.

P748-1

We are concerned about the proposed Gondola for a number of reasons:

1. Despite being a neighborhood impacted by the Gondola, our Neighborhood Council was never invited for input, briefed on impact, nor considered in the Draft Environmental Impact Report.
2. We do not support projects that gentrify our communities and economically displace our neighbors from their homes, due to increases in property taxes from property value hikes as well as non-Los Angeles Rent Stabilization Ordinance protected rents, and inflated costs of living.
3. We are concerned about the social impacts of development and the high cost to the public to provide infrastructure for private development.
4. We are concerned that this Gondola and subsequent development projects on private property around Dodger Stadium would generate economic displacement of low income families.
5. We are concerned that should this Gondola project be approved, the greater public would be priced out of using these Gondola Stations.
6. Will trips be offered at a reduced fare for seniors and students and local residents?

P748-2

P748-3

P748-4

P748-5

P748-6

P748-7

7. We are concerned that parking in impacted neighborhoods would balloon, considering the limited parking space that currently exists in Union Station, Chinatown Station, and Lincoln/Cypress Station, and due to an influx of Gondola users who would opt to drive to Union Station to access this service.

P748-8

We have many questions over the true public transportation value provided by this Gondola for city residents.

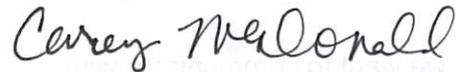
P748-9

Alternatives: We recommend you consider as a non-driving alternative to the Gondola the construction of sidewalks from Dodger Stadium down Stadium way to Riverside Drive for pedestrians and cyclists. Although this was approved with funding in the Elysian Park Master Plan several years ago, sidewalks still have not been built. Furthermore, we believe that bus lanes which would run through Stadium Way and Academy Road with increased frequency on game days, paired with shuttles that run between bus stops and the stadium's myriad entrances, would encourage Metro usage and drastically decrease automobile traffic.

P748-10

**On August 16, 2023, our Neighborhood Council voted to approve sending this letter (6 Yes; 0 No; 4 Abstentions).**

Sincerely,



Carey McDonald, President  
Elysian Valley Riverside Neighborhood Council

P748-11

**From:** Amanda Kazen [REDACTED]  
**Sent:** 2/13/2023 7:04:34 PM  
**To:** "laart@metro.net" <laart@metro.net>  
**Subject:** Los Angeles Aerial Rapid Transit (ART) Gondola System

Good afternoon,  
My name is Amanda and I am with ConstructConnect. I had a few questions about the Los Angeles Aerial Rapid Transit (ART) Gondola System project in California . Specifically, I was hoping to find out:

\* When is construction expected to begin?

\* What stage of design is this project in?

\* Who is the architect?

Thanks so much for your help. I look forward to hearing back from you.

Amanda Kazen  
Content Specialist

P749-1

tel:

[REDACTED]

# STOP THE GONDOLA

March 6, 2023

Ms. Stephanie Wiggins  
CEO  
Los Angeles County Metropolitan Transportation Authority  
One Gateway Plaza  
Los Angeles, CA 90012-2952

Dear Ms. Wiggins:

We represent community-based organizations from across Los Angeles focused on protecting the interests of marginalized communities that have keenly felt the impacts of displacement and environmental injustice. This letter expresses our opposition to Frank McCourt's proposed gondola project from Union Station to Dodger Stadium. We have serious concerns it will have a negative impact on the neighborhoods surrounding Chavez Ravine, which include Chinatown, William Mead, Lincoln Heights, Solano and Bishops Canyon, and Echo Park.

P750-1

The proposed gondola is neither a public transportation nor clean air project but rather a means to pave the way for Frank McCourt to develop the parking lots at Dodger Stadium. McCourt's attempt to brand this project as environmentally friendly and the solution to alleviate traffic to the ballpark are untrue. It is a tourist attraction that does nothing to further the genuine transportation needs of LA County.

P750-2

Employing a Nobel Prize-winning method, The UCLA Mobility Lab conducted a study that indicates only 4,690 people would use the gondola on game days. UCLA estimates 8% of fans would take it to the game and only 2% on the way back. Evidence that the gondola will not reduce traffic but will shift it to Chinatown and the communities that surround the stadium. Shifting traffic to these communities will increase pollution there and increase the health burdens that go along with that pollution. The claims that this is a zero-emissions project are, therefore, grossly exaggerated.

P750-3

Frank McCourt's plans to create a Dodger-themed entertainment complex similar to LA Live or the Grove are well documented. In addition, court documents related to bankruptcy proceedings and the original conditional use permit stipulate McCourt must replace parking spots or provide public transportation to the venue before development can move forward. We believe he is using LA Metro as a cloak to piecemeal this project using taxpayer resources and leverage the agency's credibility.

P750-4

Not only is this in violation of the State of California's CEQA laws, but it is also a recipe for gentrification on a grand scale. It will push out small business owners and residents who are already struggling with skyrocketing rents. If built, the projects will change these historic neighborhoods forever.

P750-5

We also object to the lack of transparency and meaningful public outreach by LA Metro and McCourt's company LA Aerial Rapid Transit (LA ART). Public meetings that don't provide a forum for meaningful feedback, ask community groups to sign non-disclosure agreements, and then design a route that goes 40 feet over a residential zone is not public outreach. It's force-feeding a project to a community through backroom deals.

P750-6

As opposition began to mount against the project, Frank McCourt distanced himself from the gondola and announced he "donated" it to Zero Emissions Transit (ZET) a new environmental non-profit organization established by Climate Resolve. Neither organization has experience building or managing transportation projects. This week, Frank McCourt's companies refused to answer press inquiries and instead referred questions to Climate Resolve. This is greenwashing pure and simple. The fact that McCourt brought a non-profit from outside our community to serve as a front for a project that won't reduce emissions or traffic is an insult to a neighborhood that has suffered more than its fair share of injustice.

P750-7

By the way, the sole source deal entered into by LA Metro, LA ART and now Climate Resolve does not live up to Metro's own procurement standards. It gives cover to a private project supposedly funded by private dollars (the details of the finance plan have not been revealed). It will be managed by a brand-new organization with no experience or money to complete it. We have to wonder if, ultimately, the taxpayers will be left holding the bag.

P750-8

As Metro proceeds through the draft environmental impact report, we implore you to reconsider the folly of moving forward with a project that does nothing to address the real transportation needs of our county and provides no guarantee that taxpayers won't pick up the tab for the advantage of one person.

P750-9

Sincerely,

*Raul Macias*

Raul Macias, Anahuak Youth Sports Association



Gloria Medina, Strategic Concepts in Organizing and Policy Education (SCOPE)

*Veronica Padilla-Campos*

Veronica Padilla-Campos, Pacoima Beautiful

*Belén Bernal*

Belén Bernal, Nature for All

*Maria Patiño Gutierrez*

Maria Patiño Gutierrez, Strategic Actions for a Just Economy (SAJE)

*Betty Avila*

Betty Avila, Self Help Graphics

*Nancy Halpern Ibrahim*

Nancy Halpern Ibrahim, Esperanza Community Housing Corporation





CC: Supervisor Kathryn Barger  
Supervisor Janice Hahn  
Supervisor Lindsey Horvath  
Supervisor Holly Mitchell  
Supervisor Hilda Solis  
Mayor Karen Bass  
Councilmember Eunisses Hernandez  
Councilmember Hugo Soto- Martinez  
Corey Zelmer, Los Angeles County Metropolitan Transportation Authority

**From:** Tony Torres [REDACTED]  
**Sent:** 1/18/2023 1:04:10 AM  
**To:** laart@metro.net  
**Subject:** Fwd: LA ART support sent successfully to laart@metro.net

Please see email below sent today at 3:50PM to laart@metro.net via wetransfer. The attached file is too large to submit via gmail. Please acknowledge receipt of this email and of the wetransfer link/email.

Thank you.

Tony Torres

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1 item

LA ART gondola - scanned signed support cards 2023.pdf  
231 MB

Message  
Cory,

We are pleased to submit to Metro more than 6,000 cards signed by supporters of the LA ART project. These cards were collected from neighbors and businesses along the proposed alignment as a part of LA ART's outreach to the surrounding community. We are encouraged by the support that this innovative mobility project has received, as it will be an iconic and much-needed addition to LA's transportation network.

Tony Torres

To make sure our emails arrive, please add [noreply@wetransfer.com](mailto:noreply@wetransfer.com) to your contacts

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--

Tony Torres  
Torres Consulting

[REDACTED]  
Downey, CA 90240  
[REDACTED]