



LOS ANGELES UNION STATION HISTORICAL SOCIETY

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December 31, 2022

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: Amended and Revised Comments Opposing LAART's "Gondola" Draft EIR

Dear Mr. Zelmer,

The Board of Directors (The Board) of the Los Angeles Union Station Historical Society (LAUSHS), a non-profit, Section 106 designated historic preservation consultant for Los Angeles Union Station (Union Station), a world recognized National Historic Landmark owned by Los Angeles County Metropolitan Transit Authority (Metro), has voted to formally **comment against Los Angeles Aerial Rapid Transit's (LA ART) private, for-profit cable car line (aka "Frank McCourt's Gondola")** and its public land and air rights development scheme that proposes to link Union Station and Metro's related "Esplanade-Forecourt" project with Dodger Stadium that The Board believes is contrary to Metro's public participation policy and **illegal (pending a Superior Court decision) "accommodation" for LA ART**. The Board believes that LA ART's proposed **"futuristic-Carnaval" Union Station Terminal** on Alameda Street and Metro's supporting "Esplanade-Forecourt" project **will blight the viewscape** of the historic and architecturally significant west facade of Union Station, and that Union Station, its trains and patrons could be **physically harmed** if aircraft from the nearby Los Angeles Police Department's "Hooper Memorial Heliport" airport become entangled in LAART's overhead cables, gondolas and 13-story towers. Furthermore, **The Board opposes Metro's planned removal of all "Disabled Parking" spaces from the "Esplanade-Forecourt" area**, without public hearings and reasonable alternatives, to accommodate a new so-called "water feature" (aka a fogging-type water fountain) which will cool LAART patrons cued-up for their rides to New Chinatown and Dodger Stadium. Moreover, the water feature would be **contrary to the state's water conservation policy**. (Even if the water feature recirculates, at least 10% of its water will be lost to evaporation day after day, year after year.)

Until now, The Board has steadfastly refused to take sides in the above major, billionaire development scheme. However, in The Board's opinion, **Metro and its staff have obviously taken a pro-active role supporting LAART, a potential competitor of Metro's efficient "Dodger Stadium Express" bus service**, as well as planning to **"gild the lily" of Union Station** with its Esplanade-Forecourt Project, all **"backstage,"** using public land, resources and airspace but **without public participation** as required by Metro policy and the law, before METRO agreed to be "engaged" by LAART.

Among the reasons for The Board's opposition are, but not limited to:

- A) Metro Board member, the former **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 "behest payments" and political cash contributions **from Billionaire real estate and LAART developer Frank McCourt** and/or his family and various entities and associates, which in The Board's opinion, is an apparent conflict of interest. **Consequently, Metro is being sued** by the non-profit California Endowment for willfully preventing public participation in Metro's decision to partner with LAART. (Ironically, Metro is using public resources to defend itself before Superior Court.)
- B) In The Board's opinion, **Metro Deputy Executive Officer Cory Zelmer and/or subordinates 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 LA ART's proposed Union Station Terminal, when he had been informed repeatedly to the contrary by The Board. Moreover, The Board presented proof to Zelmer and his superior, Metro CEO Stephanie Wiggins, that the Los Angeles Police Department's "Hooper Memorial Heliport" (variously described as the country's or the world's busiest airport for rotary-winged aircraft aka helicopters) is **only 1/2 mile (880 yards)** from LA ART's proposed Union Station Terminal. Furthermore, The Board reminded Zelmer and Wiggins 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 a location where any flying machine is serviced. The fact that some airports serve only rotary-winged aircraft (helicopters) while others serve fixed-wing aircraft (conventional-winged 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 Memorial is a police facility, not a civilian facility, and therefore not subject to the LAART DEIR, is **illogical and fallacious.** A helicopter that becomes entangled in LAART's cables, gondolas and 13-story towers and thus 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* has for decades stated: "**General Notice A. Safety is of the first importance in the discharge of duty.**" Or did Metro abolish this paramount railroad safety rule when it bought Union Station?
- C) Contrary to the promises made to The Board by Stephanie Wiggins, Cory Zelmer and LAART, **no meeting has ever been organized between them and The 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 Board's examination of the only known 3-D scale model of Union Station's location** because, in The Board's opinion, of a **deliberate subterfuge** that the model dating from former Union Station owner--the Santa Fe Railway--is too old to be accurate today, and furthermore the sharing of the model with The Board would **somehow be a "conflict of interest" (?)** even though The Board previously had access to the model. However, The Board's use of the model did not depend on the model's age, but only the juxtaposition of Union Station with Alameda Street which has not changed appreciably since the station was opened in 1939. Consequently, at a loss for options, The Board asked LAART to produce a 3-D scale model given its apparent resources, but **LAART has never responded. This "shadow play,"** in The Board's opinion, was being **performed by LA Metro and LAART to obfuscate the issues and delay public criticism** of LAART contrary to the public weal which Metro is obliged to serve. Furthermore, since the model is public property, The Board's use should have been permitted so it could be compared to LAART's distorted artist's rendering of its Futuristic-Carnaval Alameda Street Terminal with Union Station's Hispanic-Cathedral style. Finally, after wasting The Board's time and resources for over a year, in December 2022 Metro provided to the general public an aerial diagram of LAART's Alameda Terminal that is in the **worst possible viewscape location--directly in front of Union Station!** Cable car rides have their place but **not in front of Los Angeles' world famous "Cathedral of Transportation."**

- D) In The Board's opinion, LAART is designed to compete with Metro's "Dodger Stadium Express," a highly efficient road service that could be further improved **if Metro switched to modern, environmentally friendly motor coaches** that it might fund by the savings from not building its Esplanade-Forecourt project.
- E) Given the seasonal nature of baseball, it is also The Board's opinion that **LAART is a "Trojan Horse" scheme to facilitate year-around, for-profit real estate development in Dodger Stadium's vicinity at the expense of public land and airspace as well as the viewscape of magnificent Union Station.**
- F) Metro's proposed Esplanade-Forecourt project, according to Metro employees--who wish to remain anonymous for the sake of their careers--will be funded by so-called **"overlap money"** that was **"peeled-off" from Metro's defunct LINK-US project** that itself was rejected because of The Board's and the public's opposition. Moreover, Metro has stated to The Board's Executive Director via telephone that ultimately the Esplanade-Forecourt project will come to fruition by a two-step process eliminating all public parking including **"disabled parking"** from in front of Union Station **without public discussion or participation** in violation of the Americans with Disabilities Act (ADA). **(A disabled motorist has already filed a formal complaint with the ADA authorities against Metro's Esplanade-Forecourt project.)** Step one would be the **"temporary" elimination** of all Union Station west front parking for the construction vehicles needed to build the Esplanade-Forecourt project followed by step two—well there really isn't a **step two—when the project is completed there won't be any parking spaces left permanently.** Not only will this **negatively impact the "disabled Parking" but also the parking for Metro's tenants** the Homebound Restaurant and Brewery, TRAXX restaurant and the numerous social and artistic events that take place in the great **"Ticketing Hall"** which has fallen from use given computerized ticketing. Furthermore, according to a retired Metro staff person, the Esplanade's so-called **"water feature"** (a fogging-type water fountain) will **likely attract more "homeless" citizens seeking "showers"** contrary to Metro's stated policy--according to former Metro Union Station supervisor the late Ken Pratt--of not catering to the needs of the "homeless." In The Board's opinion, Metro's Esplanade Project is designed to cool future LAART and Olvera Street tourist attraction visitors as they saunter between Union Station, LAART and Olvera Street. (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 husband-and-wife 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 after building the railroad to Los Angeles, **then Union Station was then built on top of Old Chinatown's rubble.**)
- G) Finally, building the Esplanade-Forecourt project's water-feature while semi-desert Los Angeles is **experiencing one of its worst droughts in history** flies in the face of the State of California's policy to conserve dwindling natural resources. One only needs to recall the classic Los Angeles-based movie **"Chinatown"** to understand what The Board believes is driving LAART and Esplanade-Forecourt schemes—**the greed of land developers, the greed of Metro careerists and ultimately the greed of politicians!** Or, to paraphrase the immortal Yogi Berra: **"It's 'Chinatown' (the movie) all over again."**

For the above reasons, but not necessarily only because of them, the Board of Directors of the Los Angeles Union Station Historical Society **opposes construction of LAART and LA Metro's related Esplanade-Forecourt Projects in the interests of honest government, Los Angeles Union Station preservation, the environment and safety.**

Respectfully,

/s/

Thomas R. Savio
Executive Director
Los Angeles Union Station Historical Society

Cc: Karen Bass, Mayor of Los Angeles
Stephanie Wiggins, Metro CEO